

A Guide to the

2007 Transportation Improvement Program (TIP)

For the Nine-County San Francisco Bay Area

July 26, 2006

MTC Resolution No. 3755

MTC Project Staff

Alix Bockelman
Director, Programming and Allocations

Ross McKeown
Project Manager

Programming and Allocations Staff

Craig Goldblatt
Mark Miletich
Raymond Odunlami
Vince Petrites
Peg Yamada

This page intentionally left blank



2007 TIP Contents

Page
Number

A Guide to the Transportation Improvement Program (TIP)

| | |
|---|----|
| The Transportation Improvement Program (TIP) | 1 |
| The 2007 TIP: Features and Highlights | 1 |
| Investment Decisions: <i>Transportation 2030</i> and the TIP..... | 2 |
| TIP Development | 4 |
| TIP Development Schedule | 5 |
| SAFETEA Compliance | 6 |
| Title VI Compliance | 8 |
| Public Involvement Process..... | 8 |
| Relationship of TIP to Other Federal and State Transportation Programs..... | 12 |
| TIP Period..... | 13 |
| Fund Sources Programmed in the TIP | 13 |
| Project Funding Selection | 15 |
| Regional Transportation Plan (RTP) Consistency | 15 |
| Air Quality Conformity | 16 |
| Group (Lump Sum) Listings in the TIP..... | 16 |
| Changing the TIP | 17 |
| Implementation of TIP Projects..... | 18 |
| Project Funding Delivery | 19 |
| Fund Management..... | 19 |
| Expedited Project Selection Process | 20 |



2007 TIP Contents (cont.)

| | <i>Page Number</i> |
|--|------------------------|
| Financial Constraint | 21 |
| System Preservation, Operation, and Maintenance Costs | 21 |
| Primary Funding Programs | 24 |

Figures

| | |
|---|----|
| 1. Programmed TIP Funds and Available Revenues (FY 2006-07 to FY 2009-10) | 30 |
| 2. Programmed TIP Funds by Federal/State/Local Source (FY 2006-07 to FY 2009-10) | 31 |
| 3. Programmed TIP Funds by Mode and Purpose (FY 2006-07 to FY 2009-10) | 32 |
| How to Read the Project Listings | 33 |
| Web Page Access | 35 |
| Mega Projects in the 2007 TIP | 37 |
| Contacts for Questions About the TIP | 39 |
| TIP Amendment Process and Procedures | 41 |

Transit Project Listings

Financial Capacity Assessments and Transit Project Listings

| | |
|--|-----|
| Alameda Contra Costa Transit District (AC Transit)..... | 53 |
| Bay Area Rapid Transit District (BART) | 61 |
| Caltrain (Peninsula Corridor Joint Powers Board)..... | 75 |
| Central Contra Costa Transit Authority (CCCTA)..... | 87 |
| Eastern Contra Costa Transit Authority (TriDelta)..... | 95 |
| Fairfield/Suisun Transit..... | 101 |
| Golden Gate Bridge, Highway and Transportation District..... | 107 |
| Livermore Amador Valley Transit Authority | 117 |
| Napa County Transportation Planning Agency | 125 |
| San Francisco Municipal Railway (Muni) | 129 |
| San Mateo County Transit District (SamTrans)..... | 147 |
| Santa Clara Valley Transportation Authority (VTA)..... | 153 |
| City of Vacaville..... | 163 |
| City of Vallejo | 169 |
| Various Agencies | 179 |



2007 TIP Contents (cont.)

Page
Number

Roadway Project Listings

County Summaries and Roadway Project Listings

| | |
|------------------------------------|-----|
| Alameda County..... | 207 |
| Contra Costa County..... | 245 |
| Marin County..... | 281 |
| Napa County..... | 295 |
| San Francisco City and County..... | 305 |
| San Mateo County..... | 319 |
| Santa Clara County..... | 339 |
| Solano County..... | 371 |
| Sonoma County..... | 395 |
| Multiple Counties..... | 413 |
| Toll Bridges..... | 423 |



2007 TIP Contents (cont.)

Appendix
Number

Appendices

| | |
|---|-------------|
| Adoption of the 2007 TIP, MTC Resolution No. 3755 | A-1 |
| Project Selection Processes | |
| 2006 Regional Transportation Improvement Program (RTIP) MTC Resolution No. 3740 | A-2 |
| San Francisco Bay Area Transit Capital Priorities Process and Criteria, MTC Resolution No. 3688 | A-3 |
| Guidance for SAFETEA First Cycle Programming of Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds in FY 2003/04 - 2004/05, MTC Resolution No. 3536 | A-4 |
| Guidance for Programming SAFETEA First Cycle Augmentation Program for Projects Funded with FY 2004/05 Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds, MTC Resolution No. 3695 | A-5 |
| Guidance for SAFETEA Second Cycle Programming of Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds in FY 2005/06 - 2006/07, MTC Resolution No. 3615 | A-6 |
| Guidance for SAFETEA Third Cycle Programming of Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) Funds in FY 2007/08 - 2008/09, MTC Resolution No. 3723 | A-7 |
| Regional Transit Expansion Program (RTEP), MTC Resolution No. 3434 | A-8 |
| Policies and Procedures for the Transportation for Livable Communities (TLC) Capital Funding Program of Projects, MTC Resolution No. 3483 | A-9 |
| Program Guidelines for MTC's Regional Bicycle and Pedestrian Program Funded with CMAQ Program Funds, MTC Resolution No. 3644 | A-10 |
| Air Quality Conformity Analysis, MTC Resolution No. 3756 | A-11 |
| Regional Policy for Enforcing Funding Deadlines and Project Substitution Requests for STP and CMAQ Funds MTC Resolution No. 3606 | A-12 |



2007 TIP Contents (cont.)

*Appendix
Number*

| | |
|---|-------------|
| Project Review Criteria and Procedures, MTC Resolution No. 3115..... | A-13 |
| MTC Public Participation, MTC Resolution Nos. 2648 and 3351 | A-14 |
| Funding Sources..... | A-15 |
| Financial Plan | A-16 |
| Projects Being Amended Into the Approved 2007 TIP | A-17 |
| Air Quality Exempt Codes | A-18 |
| Response to Public Comments on Draft 2007 TIP | A-19 |



This page intentionally left blank



The Transportation Improvement Program (TIP)

The federally required Transportation Improvement Program (TIP) is a comprehensive listing of Bay Area surface transportation projects that receive federal funds or are subject to a federally required action or are regionally significant. The Metropolitan Transportation Commission (MTC) prepares and adopts the TIP every two years. According to Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA), the most recent federal surface transportation act, the TIP will now be prepared and adopted at least once every four years, and shall cover at least a four-year period and contain a priority list of projects grouped by year. Furthermore, the TIP must be financially constrained by year, meaning that the amount of dollars committed to the project (also referred as “programmed”) must not exceed the amount of dollars estimated to be available. The TIP must include a financial plan that demonstrates that programmed projects can be implemented. Adoption of the TIP must be accompanied by an evaluation and finding of air quality conformity. Federal regulations also require an opportunity for public comment prior to TIP approval.

Transit, highway, local roadway, bicycle and pedestrian investments are included in the TIP. Apart from some improvements to the region's airports, seaports, and privately owned bus and rail facilities, all regionally significant transportation projects or projects requiring federal action are part of the TIP. All projects included in the MTC-prepared TIP must be consistent with the Regional Transportation Plan (RTP) for the Bay Area.

The 2007 TIP: Features and Highlights

- The 2007 TIP addresses new requirements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA), the recently enacted federal surface transportation act.
- The 2007 TIP covers four years of programming for fiscal years 2006-07 through 2009-2010.
- The 2007 TIP includes approximately 951 individual transportation projects and several lump-sum entries for certain program categories, such as state highway maintenance.
- The 2007 TIP includes committed federal, state, and local funding of approximately \$12.3 billion.

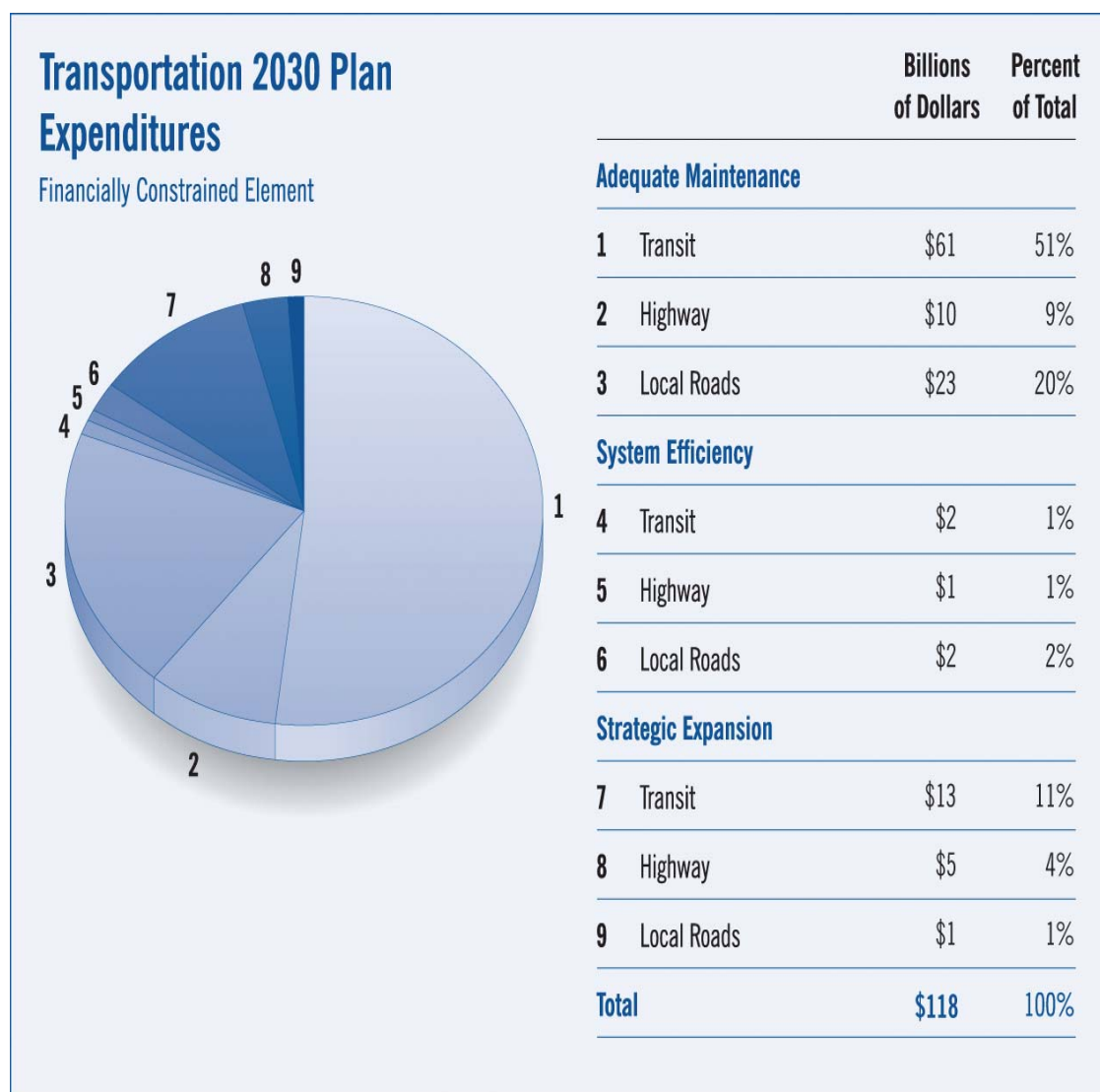
The 2007 TIP may be viewed online on the MTC Web site, at: <http://www.mtc.ca.gov/funding/tip>

As an added feature, individual project listings may also be viewed interactively with the latest information as the TIP is amended through MTC's Web-based Fund Management System (WEBFMS) at http://www.mtc.ca.gov/funding/fms_intro.htm Some of the listed projects have been mapped to present the online reader with a visual location of the project. Those without access to the Internet may view a printed copy of the project listings at the MTC-ABAG Library in Oakland at 101 Eight Street, and at major public libraries in the Bay Area.

Investment Decisions: *Transportation 2030* and the TIP

The current RTP, *Transportation 2030*, priorities guide all MTC programming decisions made by the Commission. *Transportation 2030* is the Bay Area's comprehensive roadmap to guide transportation investment over 25 years. The RTP establishes the financial foundation for how the Region invests in our transportation system by identifying how much money is available to address critical transportation needs and sets the policy on how this funding is to be spent on transportation needs. The RTP is updated every four years to reflect new planning priorities and changing projections of growth and travel demand, based on a realistic forecast of future revenues. The program of projects in the RTP must also help protect regional air quality.

Transportation 2030 dedicates 80% of the \$118 billion in projected transportation revenues over the 25-year period to maintaining the region's current transportation network of transit, local streets and roads, and highways. As illustrated below, the other broad areas of investment include system efficiency at 4% of the investment, and strategic expansion projects at roughly 16%.



By comparison, the TIP covers a four-year period and includes roughly \$13.6 billion in revenues and \$12.3 billion in programming. The spending categories for the TIP follow the general trend of *Transportation 2030*, with a majority of funding going to maintenance and rehabilitation of the region's infrastructure. For the TIP, the breakdown of expenditures is roughly:

- Adequate Maintenance - \$6.1 billion, or 50%
- System Efficiency - \$1.7 billion, or 14%
- Strategic Expansion - \$4.4 billion, or 36%

More detail on the mode and purpose of projects in the TIP is included as Figure 3.

A brief discussion of the three primary investment categories from the RTP and the more specific near-term funding strategies in the TIP follows. For more detail, the "Investment Plan" from *Transportation 2030* can be found in Appendix A-16, "Financial Plan".

Adequate Maintenance: This investment category includes rehabilitation and replacement of transit vehicles and facilities as well as the upkeep of freeways and local roadways.

Some of the most significant projects that the region is currently undertaking to ensure adequate maintenance are the retrofit of the East Span of the Bay Bridge and the earthquake safety program for BART (refer to "Mega Projects in the 2007 TIP" on pages 47 and 48). One of the major differences between the TIP and *Transportation 2030* is that much of the revenue for streets and roads rehabilitation is through gas tax subventions that are included in the projection for the RTP but are not required to be part of the TIP, because they are purely local funds. In terms of near-term programming, the region has set-aside roughly \$90 million in STP funds for both road and transit rehabilitation. In some cases, the specific projects have yet to be selected and will be amended into the TIP at a later time.

System Efficiency: This investment category attempts to squeeze more capacity out of the region's existing infrastructure, broaden access to mobility for bicyclists, pedestrians, and wheelchair users and low-income families, and strategies for protecting the region's open space and environment.

During this four-year period, the region has programmed funds to bike and pedestrian projects, transportation for livable communities (TLC), Lifeline, the Spare the Air program, safety projects such as the suicide barrier study for the Golden Gate Bridge and security projects for Bay Area transit operators and regional operations program such as 511 program, regional rideshare, transportation marketing, freeway operations, incident management, and regional signal timing and technical assistance.

Strategic Expansion: This investment category targets investments to expand transportation facilities, where those projects yield high productivity. These investments include high occupancy/toll lanes, highway and rail expansions, transit oriented development policies, goods movement, rapid bus routes/express bus service, etc. All major transit expansions in the TIP are part of MTC Resolution 3434 (Appendix A-8, "Regional Transit Expansion Policy"), which represents the region's consensus agreement on Bay Area transit expansion.

Major strategic expansion projects with the highest levels of programming in the 2007 TIP include for example:

- BART extension from Fremont to San Jose (preliminary engineering and ROW)
- Dumbarton Bridge Rail Service
- BART extension in Eastern Contra Costa County from the Pittsburg/Bay Point Station
- Route 4 East widening from 4 to 8 lanes including HOV
- Caldecott Tunnel two-lane bore
- New HOV lanes on I-80 in Vacaville
- New HOV lanes on Route 680 (Sunol Grade)

For the complete list of projects with the highest level of programming in the 2007 TIP, refer to “Mega Projects in the 2007 TIP” later in this document.

As mentioned above, the impact of the TIP on regional air quality also must be evaluated. In the Bay Area, it is the responsibility of MTC to make an air quality conformity determination for the TIP in accordance with federal Clean Air Act requirements and Environmental Protection Agency (EPA) conformity regulations.

TIP Development

MTC develops the draft TIP in cooperation with the Bay Area Partnership and its constituent members including individual cities and counties, transit operators and other project sponsors. The Partnership consists of the top managers of some three-dozen agencies responsible for moving people and freight in the Bay Area and for protecting the region's environment. Members include other regional agencies, federal and state agencies, county congestion management agencies (CMAs), public transit providers, and city and county public works representatives. The Board provides a forum for top managers of the region's transportation system to contribute to the policy-making and fund programming activities of MTC, and to improve coordination within the region. The Partnership, working through its committees and task forces, played a significant role in the selection of projects programmed in the 2007 TIP.

Central to developing the draft TIP is MTC's process for deciding how to invest “flexible” federal dollars, meaning those funds that can be used on a variety of transportation needs, be they local streets, bus replacements, rail extensions, a new freeway interchange or bicycle and pedestrian routes. To develop a plan for spending funds in the federal Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ), MTC works closely with local partner agencies and its citizen-based advisory committees to develop regional priorities.

MTC has adopted a policy to use these flexible federal funds for system preservation, maintenance and more efficient operation of the existing transportation system, which complements the programming of state and local funds primarily for expansion projects. MTC's policy also calls for funding transportation projects that would not be eligible for other funding sources, such as small-scale, community-oriented development linking land use and transportation.

The draft TIP also includes federal funds that are returned to the region by statutory formula for transit capital and, in very limited circumstances, operating purposes. These funds constitute a baseline of capital revenue for transit operators, which are also able to compete for other discretionary funds.

Most of the projects in the 2007 TIP are carried over from the 2005 TIP. To decide which projects to carryover, MTC asked project sponsors of projects in the 2005 TIP to indicate which of their projects had been completed, were well underway or were still in planning or early implementation stages. During the preliminary review of the draft TIP, project sponsors also were allowed to propose new projects to be included in the 2007 TIP. A list of all new projects that are non-exempt from air quality conformity analysis were provided to the Air Quality Conformity Task Force (MTC's inter-agency consultation group for air quality purposes) prior to being modeled and added into the draft TIP.

Once the 2007 Draft TIP has been developed, it is then released for a 30-day public review and comment period. As part of the public review process, the draft document is sent to 33 major libraries throughout the Bay Area as well as the MTC-ABAG library. Notices are also sent to an extensive list including transportation agencies, other state, federal and tribal agencies and other transportation interests with the objective to continue the consultation process for transportation planning and investments in the Bay Area. The 2007 Draft TIP is also submitted through intergovernmental review, via the Association of Bay Area Government's Regional Clearinghouse, which notices all local agencies in the Bay Area and receives their comments. The document can be downloaded from the MTC website (www.mtc.ca.gov). A public hearing is also conducted to solicit public comment. After the close of the public comment period, MTC's response to significant comments is compiled into an appendix in the Final 2007 TIP.

After the public comment period, the 2007 TIP document is then presented to the Commission's Programming and Allocations Committee. After its review, the Committee forwards the document to the full Commission for adoption. After Commission adoption, it is sent to the Caltrans Office of Federal Programs for inclusion into the California Federal Statewide Transportation Improvement Program (FSTIP) or Statewide TIP. After review and approval by Caltrans, the Statewide TIP is forwarded to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for their review and approval. Approval by FHWA/FTA constitutes the final approval of the TIP.

TIP Development Schedule

| | |
|---------------|---|
| May 26, 2006 | Draft 2007 TIP and Draft AQ Conformity Analysis released for public review and comment. |
| June 14, 2006 | Public Hearing (during Programming and Allocations Committee mtg.). |
| June 30, 2006 | Close of 2007 Draft TIP/AQ Conformity Analysis public review and comment period. |
| July 12, 2006 | Programming and Allocations Committee review of draft Final document. |
| July 26, 2006 | Commission adoption of the 2007 TIP / AQ Conformity Finding. |
| July 28, 2006 | 2007 TIP submitted to Caltrans / AQ Conformity Analysis submitted to FHWA/FTA |
| Oct. 2, 2006 | 2007 TIP (anticipated) Approval by FHWA / FTA |

SAFETEA Compliance

SAFETEA was signed into law on August 10, 2005. This Act included provisions that added new requirements as they relate to the preparation of a transportation improvement program. In the absence of FHWA's final rules, MTC has proceeded with the SAFETEA compliant Draft 2007, responding to the applicable TIP provisions as set forth in the SAFETEA legislation and the interim guidance issued by FHWA on September 2, 2005. However, FHWA and FTA have indicated that they would not be in a position to offer ultimate SAFETEA compliance findings on TIP documents until the issuance of the final regulations. In the event that the 2007 TIP does not fully meet the final regulations, MTC staff is prepared to revise the TIP by July 1, 2007 to do so. At a minimum, according to additional FHWA information provided on May 2, 2006, FHWA is prepared to approve a *four-year* TIP before the final guidance is issued. Below is a summary of the new SAFETEA compliance provisions and how the 2007 TIP addresses them.

| New SAFETEA Provision | Requirement | MTC Compliance Actions |
|---------------------------------------|--|--|
| 1. Timing for SAFETEA Requirements | <ul style="list-style-type: none"> •SAFETEA provisions apply after July 1, 2007 •TIP and Plan adopted after this date must meet all SAFETEA Sec. 6001 Requirements | <ul style="list-style-type: none"> •Proceed immediately with a 2007 TIP to be adopted 7/26/2006, that is SAFETEA compliant based on available guidance and regulations. •TIP to be updated by July 1, 2007, to address any additional SAFETEA provisions included in federal rulemaking and regulations. •Adopt new TIP four years following its last approval in July 2006. Next TIP adopted in July 2010 following adoption of next RTP in 2009. RTP and TIP in Sync with TIP adopted one year following Plan adoption. |
| 2. TIP Update Frequency and Time Span | <ul style="list-style-type: none"> •Update TIP at least once every four years •TIP shall include a 4-year period of proposed federally supported projects | <ul style="list-style-type: none"> •2007 TIP includes four years: FY 2006-07, FY 2007-08, FY 2008-09, and FY 2009-10. •TIP update by July 1, 2007 to address any additional SAFETEA provisions. Adopt next TIP on four-year cycle in July 2010. |
| 3. Participation Plan | <ul style="list-style-type: none"> •Provide opportunity to comment to broad range of private and public interests. •Participation Plan to be developed in consultation with all interested parties •Provide interested parties with reasonable opportunities to comment on the RTP and TIP. •Public meetings are | <ul style="list-style-type: none"> •MTC's current Public Involvement Procedures and Public Involvement Program result from MTC's previous planning certification process in 2003. Broadest spectrum of interests were involved including FHWA/FTA. Consultants hired to develop state-of-art participation program. Therefore, MTC proposes that its current public involvement program complies as the SAFETEA |

| New SAFETEA Provision | Requirement | MTC Compliance Actions |
|--|---|---|
| | convenient and accessible | <p>Participation Plan.</p> <ul style="list-style-type: none"> •MTC broadened the TIP mailing list to include those parties included in the comprehensive RTP process. The TIP notice was mailed to over 2,000 individuals/agencies. |
| 4. Visualization Techniques & Electronic Publishing | <ul style="list-style-type: none"> •Employ “visualization” techniques •Make public information available in electronically accessible format | <ul style="list-style-type: none"> •WebFMS - online TIP database allowing public to search projects based on different search criteria. Online TIP incorporates latest TIP amendments, so it always has the latest complete and comprehensive TIP listing. Also allows online submittal of applications for funding from project sponsors. •TIP Mapper - GIS utility to display project locations on MTC website through the online TIP database. •MTC Website - Extensive TIP coverage, including TIP amendments, e-mail subscription request for TIP notifications, PDF version of TIP document |
| 5. Publication of Annual Listing of Obligated Projects | <ul style="list-style-type: none"> •Requirement to publish list of annual federal obligations. •SAFETEA requires inclusion of pedestrian and bicycle facilities. | <ul style="list-style-type: none"> •Currently annual obligations report is published on MTC website, including bicycle and pedestrian projects. |
| 6. Expanded Consultation Requirements | <ul style="list-style-type: none"> •Consultation expanded, to include planning officials “as appropriate” in areas outside of transportation, including land-use management, natural resources, environmental protection, historic preservation, tribal agencies, and recipients of federal transportation funding from a non-U.S. DOT source. | <ul style="list-style-type: none"> •The TIP and all subsequent formal amendments are subject to the Intergovernmental Review Process, which provides consultations to a broad range of federal, state, and local agencies. • For the 2007 TIP, noticing and mailing lists are expanded to include a broader spectrum of agencies to complement the broad consultation process employed in the previously adopted plan and SAFETEA. • MTC held a consultation workshop on June 22, 2006, inviting agencies specified by SAFETEA, that do not already have close ongoing working relationships with MTC. |

Title VI Compliance

Investments made in the TIP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, income, and national origin in programs and activities receiving federal financial assistance. Public outreach to and involvement of individuals in low income and minority communities covered under Title VI of the Civil Rights Act and subsequent Civil Rights Restoration Act, and series of federal statutes enacted pertaining to environmental justice, are critical to regional planning and programming decisions. The fundamental principles of environmental justice include:

- Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;
- Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
- Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

The decision process by which new projects are selected for inclusion in the TIP must consider equitable solicitation and selection of project candidates in accordance with federal Title VI requirements.

Public Involvement Process

MTC is committed to a public involvement process that is transparent, proactive and provides comprehensive information, timely public notice, full public access to key decisions, and opportunities for continuing involvement. MTC provides many methods to fulfill this commitment, as outlined in MTC Resolution No. 2648 , including the following elements:

- Posting information in a timely manner on the MTC Web site and in the MTC-Association of Bay Area Governments (ABAG) Library.
- The Web site provides information about MTC's projects and programs, the agency's structure and governing body and upcoming public meetings and workshops. It contains all of MTC's current planning and programming documents, and library publications. The site also includes Commission meeting agendas and packet materials, and members of the public are able to listen live to Commission meetings via Web audiocasts. These audio casts which are also archived for several months, making it possible for interested parties to "tune in" at their convenience to all Commission and standing committee meetings held in the MetroCenter's Lawrence D. Dahms Auditorium.
- Robust public involvement programs for major MTC planning activities, most notably MTC's long-range transportation plan, *Transportation 2030*. Meetings were held throughout the region at times and locations that are accessible by public transportation (including evening meetings). A wide range of stakeholder organizations is targeted for participation, and community-based organizations are contracted with to help MTC design the meetings in a way to encourage participation in low-income and minority communities. Special emphasis is given to seeking comments on funding priorities,

including “budget games” that require individuals to make trade-offs in their spending decisions. Attractive graphics and visual displays are used to help tell the story.

- Consultation with MTC’s three advisory committees: the broad-based MTC Advisory Council, the Elderly and Disabled Advisory Committee and the Minority Citizens Advisory Committee.
- MTC also conducts public opinion surveys of Bay Area residents to track public opinion on transportation issues.
- Members of the public may also request to receive meeting agendas and materials through the U.S. mail, and may subscribe to MTC’s monthly newsletter, which provides information about major Commission actions. MTC also publishes a range of documents to promote public participation, including a “Citizens’ Guide to MTC, Moving Costs, a guide to transportation funding in the Bay Area, among others.

MTC encourages interested individuals to attend MTC Commission and Committee meetings to express their views. Items on the Commission agenda usually come in the form of recommendations from MTC standing committees. Much of the work of MTC is done at the committee level, thus the public is encouraged to participate at this stage. All MTC meetings are open to the public. Agendas and meeting packets for all of MTC’s standing committees, the Commission and Advisory Committees are posted on the Web site approximately one week prior to each meeting. In addition, MTC’s Public Information Office publishes a monthly tentative meeting schedule, and sends copies of this, as well as specific meeting agendas, to interested members of the public. Written materials that accompany agenda items are often available on the Web, and are also made available to the public at committee meetings. In addition, the materials are available from the MTC/ABAG Library or from the MTC Public Information Office. Notices of these meetings, complete with the date, time, location and preliminary agenda, are posted on MTC’s website at least 72 hours prior to each meeting and mailed out at least one week prior to the date of the meeting. Final agendas are posted 72 business hours in advance of the meeting time.

Discussions on specific issues are held at a Commission or committee meeting. Notices of these public meetings are made available in advance of the meetings. Documents containing the proposals to be considered at MTC public meetings are available at the meeting and made available to interested citizens upon request. In addition, these documents are placed on the Internet to the extent possible.

MTC also conducts workshops, community forums, conferences and other events to keep the public informed and involved in various transportation projects and plans and to elicit feedback from the public and MTC’s partners.

Having the congestion management agencies (CMAs) as full partners in the development of the TIP and subsequent amendments requires full participation and commitment of the CMAs to a broad, inclusive public involvement process. Federal regulations call for active outreach strategies in any metropolitan planning process, but opportunities for the public to get involved are especially important with the selection process for projects to be included in the TIP

Below are guidelines for congestion management agencies to use in seeking suggestions and comments on proposed projects that will be submitted to MTC for inclusion in the TIP and subsequent TIP amendments. Further guidance is contained in the CMA Guidelines for Public Involvement Strategy for the *Transportation 2030* Plan.

- Hold public meetings to adequately cover the major population centers and sub-areas within the county. These meetings should be structured to ensure the inclusion of the views and concerns of low-income and minority communities covered under Title VI of the Civil Rights Act.
- Provide for the public the key decision milestones in the process, so that interested residents can follow the process and know in advance when the CMA board will take action.
- In addition to the public meetings above, provide and publicize opportunities for affected stakeholders to comment about county projects at regularly scheduled meetings of the CMA policy board.
- Make a concerted effort to publicize meetings to a wide range of interest organizations and residents, including groups representing low-income and minority communities.

A public hearing on the 2007 TIP and Air Quality conformity analysis was conducted on June 14, 2006 as part of the Programming and Allocations Committee meeting. Notice of the public hearing and public comment period was placed in the legal section of at nine major newspapers in the MTC region, three of which are newspapers circulated in minority communities of the Bay Area. The Draft TIP and conformity analysis documents were mailed to major libraries throughout the MTC region, and were posted on the Internet and made available to interested citizens upon request. In addition, these documents were placed on file in the MTC/ABAG Library. Notice of the public hearing, and public comment period starting May 26, 2006 and ending June 30, 2006, was also sent directly to over 2,000 interested individuals and agencies. A total of two individuals spoke at the Public Hearing. MTC responses to these comments are included in the Appendix.

SAFETEA Requirements Specific to Public Participation

SAFETEA further clarifies public participation requirements for both the Transportation Improvement Program and the Regional Transportation Plan. MTC staff believes that the thorough and comprehensive public participation process employed for the Plan and this 2007 TIP, complies with the SAFETEA provisions as demonstrated below. However staff realizes that in the absence of final rulemaking, revisions to the public participation program might be required.

- MTC's extensive public participation program, which was used for the current Regional Transportation Plan (*Transportation 2030*), was extensive and comprehensive involving the broadest spectrum of transportation partners and interests. It involved our Partnership Committees, Minority Citizens Advisory Committee, Elderly and Disabled Committee, Advisory Council, Bicycle and Pedestrian Committees, etc. workshops and community forums, and additional outreach including but not limited to public outreach at the county level through each of the 9 congestion management agencies. The public involvement component used for *Transportation 2030* won awards from the U.S. Department of Transportation and the Association of Planning. A full description of the public

participation process is available on MTC's Web site at http://www.mtc.ca.gov/planning/2030_plan/index.htm

- The most effective time to involve the public is as early as possible in the development of the transportation improvement program, well before the draft document is circulated. The development of the transportation plan is the earliest and most relevant point for the public participation process; because, it is in this stage where funding priorities are established. As discussed earlier in the "TIP Introduction," MTC's funding programs and the projects flowing from them are derived directly from the policies and the transportation investments contained in the Plan. After the transportation plan, public participation is continued in the development of the funding programs, their project selection processes and finally in the development of the 2007 TIP. The level and nature of public participation for all three elements of the process in the MTC region meet the public participation requirements set forth by SAFETEA.
- MTC Public Participation Plan: In response to MTC's previous federal planning certification process in July of 2003, MTC embarked on an extensive process to revamp its public participation process. The fruits of those efforts are two products: the Federal Public Involvement Procedures and a Public Involvement Program, the latter exceeding federal mandates, as a means of being more strategic about keeping the public involved. The public involvement program is updated biennially. MTC underwent a thorough and comprehensive process involving the broadest spectrum of transportation stakeholders in forging a public participation program. MTC embarked on the development of a state-of-art participation program, hiring a consultant to incorporate best practices, which was subsequently accepted by FHWA, as part of the certification process. Appendix A-14 includes Resolution 2648, MTC Federal Public Involvement Procedures and Resolution 3351, MTC Public Involvement Action Plan

SAFETEA Requirements Specific to Agency Consultation

SAFETEA further expanded and specified a consultation process, by directing MPOs to consult with officials responsible for other types of planning activities that are affected by transportation in the area (i.e. State and local planned growth, economic development, environmental protection, tribal agencies, land use management, conservation and historic preservation, airport operations, and freight interests). These provisions address both the MPO's preparation of the Transportation Plan and the TIP. As the Plan governs the selection and programming of projects in the TIP, MTC considers the agency consultation process as a continuum starting with the Plan resulting in the selection and programming of projects in the TIP. MTC consulted extensively with these agencies in the preparation of the current *Regional Transportation Plan, Transportation 2030*. For the 2007 TIP, this consultation was continued as follows:

- Project sponsors including the California Department of Transportation (Caltrans) local jurisdictions and transit operators: Project sponsors and their county Congestion Management Agencies (CMAs) reviewed and consulted with MTC on each of their respective projects in the TIP. Furthermore, through the Bay Area Partnership, these agencies are involved every step of the way in the establishment of MTC programs and the selection of project criteria and delivery of transportation projects contained in the TIP.
- Air Quality consultations on air quality issues occur through the Air Quality Conformity Task Force (including the BAAQMD as well as representatives of the US EPA, California

Air Resources Board (ARB), Federal Highway Administration and Federal Transit Administration and state and local transportation agencies) which review the 2007 TIP and its air quality conformity analysis.

- Over 2000 Notices on the 2007 Draft TIP were mailed out along with instructions on how to access and comment on the 2007 Draft TIP on the MTC website. The mailing roster comprised the same agencies, organizations, and individuals involved in the preparation of the Transportation Plan. Additionally, state agencies and local agencies were consulted through the Intergovernmental Review Process (Association of Bay Area Government's Area-wide Clearinghouse)
- A consultation workshop was held on June 22, 2006, targeted specifically to those agencies that do not already have close, ongoing working relationships with MTC. The primary objective of the workshop was to present MTC's transportation roles and processes to agencies in order to determine how to best meet SAFETEA agency consultation requirements. MTC similarly desires a better understanding about agencies' interests in transportation planning and programming to better meet their needs. 46 agencies were invited including but not limited to Tribal agencies, State and Federal land-use management agencies, ports and airports, MPO's adjacent to the MTC region, State and Federal environmental protection agencies, California Highway Patrol, the State Historic Preservation Office, etc. A total of one individual, representing U.S. Environmental Protection Agency, attended the consultation meeting. There was discussion about when EPA would see its consultation with MTC to be most useful. There was overall agreement that the TIP is too late along in the process to provide meaningful and timely consultation, as the TIP defines project budgets, schedules and phasing but provides little additional information regarding project scope and design, which are established for large capacity-increasing projects in the RTP process. By the time the TIP is developed, planning decisions and project selection decisions have already been made. Therefore, there is comparatively less value in consulting with agencies during the development of a TIP, in particular for agencies that are not project sponsors or are not concerned with air quality conformity. It was also pointed out that SAFETEA does not distinguish between agency consultations as it applies to planning and programming at the MPO.

Relationship of the TIP to Other Federal and State Transportation Programs

Federal Statewide Transportation Improvement Program

Just as each metropolitan region is required to develop a TIP, each state is required to develop a Federal Statewide Transportation Improvement Program (FSTIP) pursuant to federal regulations. The FSTIP includes all federally funded and regionally significant transportation projects throughout the state. In California, regional TIPs are included in the FSTIP without modification once approved by the relevant Metropolitan Planning Organization (MTC, in the case of the Bay Area) and after the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) make their required financial constraint and air quality findings. Projects must be in the FSTIP before funding authorities, such as FTA, FHWA, or the California Department of Transportation (Caltrans), can "obligate" funds (i.e., commit funds to contract) and therefore, before sponsors can actually spend any of these monies.

State Transportation Improvement Program

The California Transportation Commission (CTC) is required to biennially adopt, and submit to the Legislature and the Governor, a State Transportation Improvement Program (STIP). The STIP is a comprehensive listing of all major projects to be funded from specified state funding programs, including certain federal funds that flow directly to the state. As a result, many of the projects that are included in the STIP must eventually be included in the regional TIPs and the FSTIP as well.

The bulk (75 percent) of the STIP consists of spending programs developed at the regional level throughout California, called the Regional Transportation Improvement Programs (RTIP). The CTC releases a Fund Estimate telling each region how much money it can expect to receive from various sources. This estimate is guided by statutory requirements that direct how the funds are divided up throughout the state.

Once MTC adopts the RTIP for the Bay Area, it is forwarded to the CTC. In turn, the CTC must accept the RTIP or reject it in its entirety and send it back to the region for revision.

Meanwhile, Caltrans proposes another element of the STIP for the CTC to adopt, known as the Interregional Transportation Improvement Program, or ITIP. The ITIP comprises the remaining 25 percent of STIP funding. It is intended to address transportation infrastructure needs that cross metropolitan boundaries and link the state's transportation system. For example, intercity rail, interregional highways and the like.

TIP Period

The number of years of programming included in the TIP varies by fund source. Under SAFETEA, four years of programming are contained in the 2007 TIP, Fiscal Years (FYs) 2006-07 through 2009-10. According to additional information on SAFETEA implementation in a memo issued by FHWA dated May 2, 2006, MTC expects that FHWA or FTA will approve four years of programming in the 2007 TIP. In the case of some projects, carryover funding from prior TIPs is included and noted as "prior year carryover funding." In addition, estimated funding for projects in future years (beyond the four years that comprise the 2007 TIP) is included for information.

Fund Sources Programmed in the TIP

The 2007 TIP programs transportation funding from a wide variety of sources. Several of the major sources from which funds are programmed are:

Federal Transit Administration (FTA) Programs

- Section 5307
- Section 5309 Fixed Guideway
- Section 5309 (BUS)

- Capital Investment Grants
- Section 5310 Elderly and Disabled Program
- Section 5316 Job Access and Reverse Commute Program (JARC)
- Section 5317 New Freedom Program
- Federal Discretionary Programs (Earmarks)

Federal Highway Administration (FHWA) Programs

- Surface Transportation Program (STP)
- Congestion Mitigation and Air Quality Improvement Program (CMAQ)
- Other Federal Programs including high priority projects and other earmarks

State, Regional, and Local Programs

Not all state and local funds have to be programmed in the TIP. However, if these funds are used to match federal dollars described above, or if they are attached to projects that require federal approval or other formal federal action, or if the project funded is considered to be regionally significant, they must be included in the TIP. Such state and local fund sources can include the following:

- State Transportation Improvement Program (STIP), comprising the Regional Transportation Improvement Program (RTIP) and the Interregional Transportation Improvement Program (ITIP)
- State Highway Operations and Protection Program (SHOPP);
- Traffic Congestion Relief Program (TCRP)
- Transportation Development Act (TDA) & State Transit Assistance (STA) funds;
- Proceeds from county half-cent transportation sales taxes, and sales taxes for transit;
- Regional Measure 1 (RM 1) and Regional Measure 2 (RM 2) bridge toll funds;
- Various other funds programmed to regionally significant, locally funded projects.

Project Funding Selection

Development of Project Proposals

Ideas for projects emerge from a variety of planning efforts at the city, county, transit operator, and regional levels. Some of the major sources for projects are the county congestion management programs, countywide transportation plans, transit operator short-range transit plans, and the state highway planning process conducted by Caltrans. These efforts are then merged with the planning efforts of the Regional Transportation Plan. When the project scope, schedule, and budget are fully developed, the project may then be proposed for funding.

Project sponsors (the agencies designated to implement the projects) are responsible for initiating requests for TIP programming, applying for the programmed funds, and carrying their projects to completion. In the Bay Area, the implementing agencies include public transit operators, Caltrans, MTC, the Bay Area Air Quality Management District, the congestion management agencies, the nine Bay Area counties, several joint power authorities, and the individual cities within each county.

Project Selection Criteria Processes

The process by which a project is selected for programming utilizing federal, state, and regional funds, depends on the type of project, and the specific fund source being sought. Once selected, the project is then eligible for inclusion in the TIP. Below is a listing of the major processes and MTC resolutions that describe the selection processes. The resolutions are available on the MTC Website at <http://www.mtc.ca.gov/funding/tip/> and as appendices to this document.

| | |
|---|---------------------|
| Regional Transit Expansion Program (RTEP) | Resolution No. 3434 |
| Transportation for Livable Communities | Resolution No. 3483 |
| SAFETEA STP/CMAQ – Cycle 1 | Resolution No. 3536 |
| Transit Capital Priorities | Resolution No. 3688 |
| Regional Project Funding Delivery Policy | Resolution No. 3606 |
| SAFETEA STP/CMAQ – Cycle 2 | Resolution No. 3615 |
| Regional Bicycle and Pedestrian Program | Resolution No. 3644 |
| SAFETEA STP/CMAQ – Cycle 1 Augmentation | Resolution No. 3695 |
| SAFETEA STP/CMAQ – Cycle 3 | Resolution No. 3723 |
| 2006 Regional Transportation Improvement Program (RTIP) | Resolution No. 3740 |

Regional Transportation Plan (RTP) Consistency

Only projects consistent with the Regional Transportation Plan (RTP) were included in the 2007 TIP as required by federal law. This means that even fully funded projects were excluded from the 2007 TIP if they were inconsistent with the RTP. Projects are reviewed for consistency with the RTP as the TIP is developed, as they are submitted for funding in the various programs, and as they are amended into the TIP for the first time.

The next update of the Regional Transportation Plan is scheduled for adoption in early 2009.

Air Quality Conformity

Under federal law and regulations, the TIP must be analyzed by MTC to determine if it conforms to the Bay Area's approved federal Air Quality Plan (also referred to as the State Implementation Plan, or SIP). Motor vehicle emissions are modeled, considering all projects in the TIP, and must not exceed the Motor Vehicle Emissions Budget (MVEB) identified in the SIP and approved by EPA. In addition, the TIP must provide for the timely implementation of strategies to reduce emissions that are in the SIP, called Transportation Control Measures (TCMs).

Using the latest planning assumptions, MTC conducted a new air quality conformity analysis for the 2007 TIP. The conformity determination was made under the motor vehicles emissions budget contained in the 2001 1-Hour Ozone Attainment Plan for the ozone precursors and the 1996 Carbon Monoxide Maintenance Plan (and 1998 Revisions). The status of Transportation Control Measures (TCMs) A through E from the 2001 Ozone Attainment Plan was also reviewed to demonstrate their timely implementation.

Copies of the analysis are included as an appendix to the TIP document and is available for public review at the MTC-ABAG Library, 101 Eighth Street, Oakland, and on the MTC Web Site at: <http://www.mtc.ca.gov/funding/tip/>

Group (Lump Sum) Listings in the TIP

Federal regulations 23 CFR 450.216 and 450.324 allow projects exempt from air quality conformity analysis listed under 40 CFR 93.126 & 127, Tables 2 & 3, to be grouped within the TIP. For the MTC region, local streets and road projects listed by city and projects within the Caltrans State Highway and Operation Program (SHOPP) may be listed in a single grouping or lump sum listing. Furthermore, other projects managed by Caltrans may also be included in a single grouping for designated federal programs at the request of Caltrans. Examples of Caltrans-managed groupings include, but are not limited to the following:

- State Highway Operations and Protection Program (SHOPP)
- Local Highway Bridge Rehabilitation (HBR)
- Local Seismic Safety Retrofit
- Local Hazard Elimination and Safety (HES) Program
- Safe Routes to School (SR2S)
- Local Section 130 / Grade Crossing

The process for including, or amending a project in the lump sum listing, must follow the process and procedures for state-managed grouped project listings, as agreed to by the California Federal Programming Group (CFPG), California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). It is intended that MTC's Group (Lump Sum) Listings in the TIP follow, and adhere to the provisions of the State-Managed Grouped Project Listings Process.

Changing the TIP

From time to time circumstances dictate that changes be made to the TIP following its adoption. Federal regulations permit changes to the TIP if the procedures for doing so are consistent with federal requirements for TIP development and approval, and consistent with federal procedures for modifications to the Federal Statewide Transportation Improvement Program (FSTIP). These changes, or amendments, should not be considered routine. MTC will consider such amendments when the circumstances prompting the change are compelling, and the change will not adversely affect air quality conformity or financial constraint findings of the TIP.

Types of Amendments

Federal and State policies distinguish between two types of TIP amendments: Administrative Action/Amendments and Formal/Major Amendments. These types of amendments differ based on the magnitude of the proposed change and the level of review required by various federal, state and local agencies. As a general rule, significant changes to the cost, scope and schedule of a project listing requires a Formal Amendment, whereas minor changes in fund sources, project description, lead agency, or existing project phase amounts may be processed through administrative actions. The MTC Commission, the California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must approve Formal Amendments. Approval of Administrative Actions has been delegated to MTC's Executive Director and the Caltrans Office of Federal Programming.

Proposed amendments to the Federal TIP, other than Administrative Actions, must be developed in accordance with the provisions of 23 CFR 450.326 and/or 23 CFR 450.216, and approved by the federal agencies in accordance with 23 CFR 450.220. In general terms, these regulations state the TIP may be modified at any time consistent with the procedures agreed to by the cooperating parties for developing the TIP and all other federal requirements in 23 CFR part 450 concerning the development, public involvement, and federal agencies approval of the TIP.

Regardless of the type of change, all modifications must be consistent with the RTP, must maintain the financial constraint of the TIP, must be consistent with federal Title VI requirements, and must consider the affect on the air quality conformity finding of the TIP and timely implementation of Transportation Control Measures (TCMs). Administrative Actions cannot affect the air quality determination for the TIP, cannot negatively affect the timely implementation of TCMs and cannot negatively impact the financial constraint of the TIP.

These amendment classifications and procedures are consistent with the Statewide TIP Modification Guidelines as prepared by the California Federal Programming Group (CFPG), California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). It is intended that MTC's TIP Amendment Process and Procedures follow and adhere to the provisions of the Statewide TIP Modification Guidelines.

The TIP amendment process is further outlined in the MTC TIP Amendment Process and Procedures document included in the TIP Documentation.

Public Involvement Process for TIP Amendments

MTC's interagency procedures require that all TIP amendments be available to the Partnership or its constituent committees. Therefore, TIP amendments are included as regular items at the Partnership Technical Advisory Committee (PTAC) and its working group meetings.

Before the Commission can approve a major amendment, the public is required to be notified and given an opportunity to comment on the amendment. Therefore, all major TIP amendments are publicly noticed for 30 days through the Regional Clearing House Newsletter published by the Association of Bay Area Government (ABAG). MTC also sends e-mail announcements out to interested parties using its TIPINFO notification service and the notices are posted on the MTC website. Proposed major amendments are also publicly noticed as part of the Programming and Allocations Committee agenda and again as part of the regular Commission agenda. This process allows the public multiple opportunities to comment on the pending major amendment.

During the public comment period, the proposed formal amendments, as well as Administrative Actions are available at the MTC/ABAG Library at 101 Eighth Street, Oakland, CA and are posted at the TIP Web page located at: <http://www.mtc.ca.gov/funding/tip/>

To be included in the ABAG Newsletter mailing list please contact Suzan Ryder of ABAG at (510) 464-7993 or at SuzanR@abag.gov. To be added to the TIPINFO mailing list, send a request to: TIPINFO@mtc.ca.gov

Implementation of TIP Projects

Once the 2007 TIP is approved by FHWA and FTA and included in the FSTIP, project implementation may proceed. The first step is generally project review. Under Government Code § 66520, any application for federal or state funds for a transportation project must first be submitted to MTC for review as to its consistency with the Regional Transportation Plan. Project review requirements also include Intergovernmental Review (IGR), which gives other agencies and the public a formal mechanism to comment on a project before it receives federal approval. In addition, certain projects may be required to undergo project-level air quality conformity analysis, based on federal Clean Air Act requirements.

The type of project determines the level of review a project must undergo. Projects that are not capacity increasing are generally approved administratively when the TIP or TIP amendment is approved by MTC. Projects that are administratively approved are so denoted in the TIP. For all other TIP projects, project sponsors must apply to MTC for review when a project is ready for funding and environmental documentation has been approved by FTA or FHWA.

Once project review is completed, projects can receive allocations or obligations of programmed state or federal funds. Fund application and approval procedures vary according to the funding source involved. Project sponsors should discuss the specific fund application/approval procedures for their projects with the appropriate MTC staff.

Project Funding Delivery

Delivering transportation projects within the estimated cost, scope and schedule has been one of the key issues in state transportation policy in recent years. Most notably, SB 45 – Kopp (Chapter 622, Statutes 1997) and AB 1012 – Torlakson (Chapter 783, Statutes of 1999) established penalties for not delivering projects funded with STIP, STP or CMAQ funds within certain prescribed deadlines.

SB 45 and AB 1012 give regions, counties and sponsors real incentives to deliver projects more quickly by creating negative consequences – projects now stand to lose their funding if not delivered according to schedule. Under AB 1012, regions must obligate STP and CMAQ funds apportioned to them within three years, or the state will redirect the funding to other projects. SB 45 established a complex series of project delivery deadlines for projects in the STIP. If these deadlines are not met, the funds are redirected to other projects, in some cases outside of the Bay Area.

The MTC region has maintained an excellent project delivery record, delivering 110 percent of the federal Obligation Authority (OA), and 100 percent of federal apportionment level during the six-year period of the federal Transportation Equity Act for the Twenty-First Century (TEA 21). This outstanding delivery record is due to the hard work of project sponsors, Caltrans Local Assistance and the regional delivery policies developed by MTC and the Bay Area Partnership. In an effort to maintain this delivery record for the TEA 21 Reauthorization and ensure that the maximum amount of federal funds continue to flow into the region, MTC and the Bay Area Partnership have revised the existing regional delivery policies. These revisions respond to increased scrutiny for federal and state funding deadlines, the current economic environment, and anticipated future federal and state policies regarding the availability of transportation funding.

Federal Requirements (TEA 21) – STP and CMAQ funds (among other programs) must be obligated within 4 years of apportionment. Funds not obligated are lost to the state.

State Requirements (AB 1012) – Regional STP and CMAQ funds must be obligated within 3 years of apportionment. Funds not obligated are lost to the region.

Region Requirements (MTC Resolution No. 3606) – Regional STP, CMAQ and other funds administered by FHWA, must be obligated in the year programmed in the TIP, which is the year of federal apportionment. Funds not obligated return to MTC for reprogramming. There are additional deadlines to ensure timely encumbrance, invoicing, liquidation and project closeout.

Fund Management

Federal funds are to be programmed in the TIP, up to the apportionment level for that fiscal year for that fund source, within the fiscal year in which the funds are to be obligated/transferred by the Federal Highway Administration (FHWA) or obligated by the Federal Transit Administration (FTA), or awarded in a FTA grant. This improves the overall management of federal Obligation Authority (OA) within the region and ensures that OA is available for projects that are programmed in a particular fiscal year.

Projects selected for federal funding must have a demonstrated ability to use the funds within the established federal, state and regional funding deadlines. This criterion will be used for selecting projects for funding, and for placement of funding in a particular year of the TIP.

Expedited Project Selection Process

Federal Regulations 23 Code of Federal Regulations (CFR) Part 450.332 allow for the movement of projects within the period of the TIP and FSTIP subject to procedures agreed to by partnering agencies, including the State and transit operators within the region. MTC, as the Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region has a process in place, as outlined below, developed in consultation with the region's transportation partners that permits the movement of projects consistent with the Expedited Project Selection Process outlined in Code of Federal Regulations (CFR) 450.332(c). The projects listed within the TIP have all been selected based on the regulations in 23 CFR Part 450. Federal Regulation 23 CFR Part 450.332 allows for the movement of projects within the TIP/FSTIP subject to procedures agreed to by the partnering parties. This procedure is outlined as follows.

All movements must be consistent with the Regional Transportation Plan (RTP), must not adversely affect the expeditious implementation of Transportation Control Measures (TCMs), must comply with the provisions of Title VI, must not negatively impact the deliverability of other projects in the regional programs, and must not affect the conformity finding of the TIP.

For regional Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) funds, and other funds administered by the Federal Highways Administration (FHWA), MTC has developed a project funding delivery policy through extensive consultations with its regional transportation partners including the Bay Area transit operators, Congestion Management Agencies (CMA's), counties, FHWA, FTA and Caltrans. The *Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised April 26, 2006)* details how project-funding deadlines and fund management requirements are enforced and how projects may be moved within the time period of the adopted TIP. The policy satisfies the requirement of the expedited project selection procedures as stated in CFR 450.332(c). The project funding delivery policy is also embedded in the TIP amendment procedures, adopted along with the 2007 TIP. Although a TIP amendment is not required at the time a project is moved, an amendment may be processed following each federal fiscal year to reconcile the TIP for financial constraint purposes.

For projects within the State Transportation Improvement Program (STIP), MTC will move projects subject to amendment or allocation approval by the California Transportation Commission (CTC). Caltrans may move projects in the State Highway Operation Protection Program (SHOPP) document within the TIP/FSTIP period without amending the TIP, with notification to MTC.

Caltrans Division of Local Assistance has implemented a project selection process for the Highway Bridge Program (HBP) and Hazard Elimination Safety (HES) program, Safe Routes to School (SR2S) Program and other State-administered Local Assistance programs to produce the TIP listing of projects. This process was developed in cooperation with the implementing agencies, FHWA, the MPOs, and HBP Advisory Committee. Caltrans, MTC and the transit operators agree that the Caltrans Division of Local Assistance may move projects within the

HBP, HES, SR2S and other State-administered Local Assistance programs within the TIP/FSTIP period without amending the TIP, with notification to MTC.

For FTA administered funds, projects may be moved within the period of the TIP/FSTIP at the request of the agency, as long as funding is available and the change does not negatively impact the delivery or availability of funds for other projects ready for obligation.

Implementing agencies wishing to advance projects using their own local funds until federal funds are available may request Advance Construction Authorization (ACA) from Caltrans, or pre-award authority from FTA to proceed with the project using local funds until OA and apportionment becomes available. In accordance with the Regional Project Funding Delivery Policy (MTC Resolution No, 3606) projects using ACA or FTA Grant Award Authority for FHWA-administered funds have priority for federal obligations when the availability of Obligation Authority is limited.

Financial Constraint

The TIP must be financially constrained, meaning that the amount of funding programmed must not exceed the amount of funding estimated to be reasonably available. In developing the 2007 TIP, MTC has taken into consideration the transportation funding revenues expected to be available during the four years of the TIP (Federal FY 2006-07 through FY 2009-10), and has found the 2007 TIP to be financially constrained.

The 2007 TIP is a compilation of mostly previously programmed projects, reflecting previous programming actions by the Commission. Examples include the Regional Transportation Improvement Program (RTIP), federal transit formula grant projects (Section 5307 and 5309) and Surface Transportation Projects (STP), Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancement Activities (TE) authorized by the extension of TEA-21 and SAFETEA. The TIP also includes Toll Bridge projects and regionally significant local projects approved and funded by transportation agency partners and/or referenda. Examples here include the recent voter approved toll increase in the Bay Area, Regional Measure 2, and the two new county sales tax measures for transportation in Marin and Sonoma counties.

The constrained 2007 TIP also includes available State funds, including Traffic Congestion Relief Program (TCRP) and State Transportation Improvement Program (STIP) funds, utilizing the latest fund estimates released by the State.

MTC continuously monitors developments in funding programs and funding needs of transportation projects, as reflected by the TIP project listing. Any significant changes will be reviewed by MTC and its transportation partners; and, if needed, MTC will take appropriate actions, such as a TIP Amendment, to maintain the financial constraint state of the TIP.

System Preservation, Operation, and Maintenance Costs

Subsequent to the publication of the most recent 2005 TIP, FHWA-FTA issued additional guidance to clarify fiscal constraint requirements to guide the development of the Regional Transportation Plan and the TIP. As part of this guidance, a requirement enacted under prior ISTEA legislation emphasized that fiscal constraint encompasses not only operation and

maintenance of capital projects in the TIP but also the estimated costs of maintaining and operating the total transportation system the transportation system, as well. The frameworks of both MTC's current Regional Transportation Plan and 2007 Transportation Improvement Program take into account these operating and maintenance costs.

Regional Transportation Plan

The policies of *Transportation 2030* (T-2030), the Bay Area's regional transportation plan, favor the sustaining and maintaining of the transportation system as the first line need, by funding 75% of the transit capital shortfall (100% of fixed assets and rolling stock) needs) and all of the streets and roads maintenance on the Metropolitan Transportation System (MTS). *Transportation 2030* evaluates and formulates funding strategies to support all the components of the Bay Area's transportation system including but not limited to transit operations and capital maintenance, the operation and maintenance of the state and local road systems, and transportation system management. Where shortfalls have been identified, *Transportation 2030* identifies strategies to address these shortfalls. The financial plan of *Transportation 2030* and its supporting analyses outlining transit and local streets and roads needs can be accessed in Appendix A-15. The Bay Area's Transportation Plan, *Transportation 2030* is available in its entirety on MTC's website at www.mtc.ca.gov/planning/2030_plan/index.htm. The plan's policies and strategies for estimating and ensuring maintenance needs for transit, local streets and roads, and California State highways are carried through to the 2007 TIP, discussed below.

Transportation Improvement Program

The guidance specifically states that the TIP, as well as the Plan, needs to "take into account the estimated costs of maintaining and operating the total transportation system." The 2007 TIP is the programming document, which implements the policies and projects contained in *Transportation 2030*. *Transportation 2030* emphasizes system preservation, operations and maintenance. Firstly, projects, which are directly programmed by the Commission, are selected through criteria, which have their basis in a number of key programs developed to address transportation needs expressly identified in *Transportation 2030*. For example, MTC's Local Streets and Roads Rehabilitation Shortfall Program provides funding to project sponsors in counties based rehabilitation needs identified in the Plan. Also FTA Formula funding programs among other funding programs fully address transit operators' maintenance needs in the context of sustainable levels of operating transit service. Secondly, funding to projects programmed to the region by entities other than MTC, such as the State, are included into the TIP. In particular State Highway Operation and Protection Program (SHOPP) is incorporated into the TIP to meet the operation and maintenance requirements of the State highway system. Below are key programs in the TIP which address system preservation, operation, and maintenance of the transportation system:

- **State Highways: State Highway Operation and Protection Program (SHOPP):** The SHOPP is a program of projects administered by Caltrans designed to preserve and protect the existing State highway system. The California Department of Transportation is required to prepare a 10-year plan for the rehabilitation and reconstruction of all state highways and bridges. The plan then becomes the basis for developing the SHOPP. SHOPP projects fall into six major categories: Collision Reduction, Bridge Preservation, Roadway Preservation, Roadside Preservation, Mobility and Emergency Response. Projects are approved for inclusion in the SHOPP on a statewide competitive basis, initiated by the Caltrans' District Offices, with safety as the highest priority.

- **Local Streets and Roads:** Local Streets and Roads maintenance costs for San Francisco Bay Area roadway infrastructure (pavement, non-pavement and locally owned bridges) are determined using a process that incorporates pavement management databases, surveys filled out by jurisdictions along with some work performed by consultants. Pavement maintenance includes preventative maintenance treatments of the existing street/road network that significantly extend pavement life or, if necessary, major rehabilitation or reconstruction. Non-Pavement maintenance is defined as items necessary for a functioning local street and road network, excluding pavement. This includes such items as storm drains, traffic lights and safety, pedestrian walkways, storm damage, ADA compliance and retaining walls. Local Bridge maintenance involves the upkeep of just locally owned bridges. All but one (108 of 109) of the Bay Area jurisdictions utilize MTC's Pavement Management Program software. The software allows jurisdictions to inventory their street network, determine the maintenance needs of that network, and devise maintenance programs based on available revenues and recommendations made by the software. Jurisdictions are required to submit a copy of their Pavement Management Program software to MTC on a bi-annual basis, with MTC funding technical assistance projects to ensure this occurs. The 25-year pavement need estimate was determined by running an "unconstrained budget needs analysis" for each jurisdiction using the Pavement Management Program software model. For those few jurisdictions that do not use the MTC Pavement Management Program, their pavement need was determined by using the ratio of the jurisdiction's centerline miles to the total county centerline miles, and assigning those jurisdictions a proportionate amount of need based on that ratio. An extensive inventory of region wide needs on the local streets and roads system is continuously updated using MTC's Pavement Management System and the assistance of the Local Streets and Roads Committee, composed of local agencies. This information feeds into the Regional Transportation Plan and into the MTC Local Streets and Roads Shortfall Program, which directs funding to streets and roads rehabilitation projects, which are programmed in the TIP.
- **Transit Operations and Rehabilitation:** The TIP includes a Financial Capacity Assessment for each of the major operators, which assesses the financial state of the transit operator, by evaluating its ability to maintain its existing capital plant and service operations. The basis for this analysis is each operator's short-range transit plan (SRTP). The SRTP is updated at least every two years, and is funded by FTA 5303 formula funding. SRTP Guidelines (see <http://www.mtc.ca.gov/funding/FTA/index.htm>), adopted by the Commission, outline a list of minimum requirements. The most central objective of the SRTP is to demonstrate that the operator is planning a sustainable level of transit service over the planning period, usually ten years, including rehabilitation and replacement of capital assets. This analysis relies on MTC projections of Federal, State, and local sales tax revenues. Beyond this sustainability analysis, the operator will also justify the basis for expanding service and capital facilities, and the underlying financial capacity to do so without adversely impacting current maintenance and operations functions. As part of the TIP Development process, Financial Capacity Assessments are conducted for the major transit operators in the Bay Area Region, which are based on their short-range transit plans. Refer to the Transit Project Listing for these assessments.

Primary Funding Programs

Descriptions and Availability Summary

The TIP must be financially constrained, meaning that the amount of funding programmed must not exceed the amount of funding estimated to be available. In developing the 2007 TIP, MTC has taken into consideration the transportation funding revenues expected to be available during the four years of the TIP (Federal FY 2006-07 through FY 2009-10), and has found the 2007 TIP to be financially constrained. The following is a financial summary of the primary fund sources within the four years of the TIP (all dollar amounts shown in thousands).

Federal Funds

Federal Transit Administration Section 5307: The FTA Section 5307 funds are distributed to regions by the federal government based on population and service factors for the five large urbanized areas of San Francisco-Oakland, San Jose, Concord, Antioch, and Santa Rosa, and population factors for the seven small urbanized areas of Vallejo, Fairfield, Vacaville, Napa, Livermore, Gilroy-Morgan Hill, and Petaluma. MTC prioritizes these funds for transit capital replacement projects such as revenue vehicles and fixed guideway, however, some funds are used for transit operations and system enhancements. The next programming cycle is anticipated to take place in Fall 2007 and will cover the FY 2008-09 through FY 2009-10 with periodic updates to assure the most critical projects move forward. Revenue estimates may include prior year carryover funds.

| FTA 5307 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$210,658 | \$218,195 | \$232,122 | \$246,936 | \$907,911 |
| Programmed Amount | \$206,160 | \$214,409 | \$ -- | \$ -- | \$420,568 |
| Unprogrammed Balance | \$ 4,498 | \$ 3786 | \$232,122 | \$246,936 | \$487,343 |

Federal Transit Administration Section 5309 Fixed Guideway (FG) – The FTA Section 5309 FG are also formula funds and are distributed based on fixed guideway service factors to large urbanized areas. MTC programs the FTA 5309 FG funds using the same criteria and schedule as the FTA Section 5307 funds. The eligibility for these funds, however, are limited to the region's fixed guideway systems including rail, ferry, and buses operating on dedicated right-of-way as prescribed by Title 23. The next programming cycle is anticipated to take place in Fall 2007 and will cover the FY 2008-09 through FY 2009-10 with periodic updates to assure the most critical projects move forward. Revenue estimates may include prior year carryover funds.

| FTA 5309 FG | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$129,020 | \$122,544 | \$130,076 | \$138,072 | \$519,712 |
| Programmed Amount | \$128,951 | \$120,150 | \$ -- | \$ -- | \$249,101 |
| Unprogrammed Balance | \$ 69 | \$ 2,394 | \$130,076 | \$138,072 | \$270,611 |

Federal Transit Administration Section 5309 (BUS) – The FTA Section 5309 BUS program is distributed by Congress through discretionary earmarks and is used to fund bus expansion projects. Since the funds are purely discretionary, they cannot be programmed prior to congressional action.

| FTA 5309 Bus | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$19,295 | \$20,695 | \$21,395 | \$ -- | \$61,385 |
| Programmed Amount | \$15,686 | \$16,527 | \$16,810 | \$ -- | \$49,024 |
| Unprogrammed Balance | \$ 3,609 | \$ 4,168 | \$ 4,585 | \$ -- | \$12,361 |

Federal Transit Administration Capital Investment Grants – The FTA Capital Investment Grants program is a nationally competitive program and is used to fund new and expanded fixed guideway systems.

| FTA 5309 CIG | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$2,500 | \$2,500 | \$2,500 | \$ -- | \$7,500 |
| Programmed Amount | \$2,500 | \$2,500 | \$2,500 | \$ -- | \$7,500 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

Federal Transit Act Section 5310 Elderly and Disabled Program – FTA Section 5310 funds are available to non-profit agencies and local governments that provide transportation services to elderly and/or disabled persons. Within California, Caltrans is the designated recipient for these funds, and MTC coordinates the local region's grant review process. This is a competitive program which funds capital equipment, including buses, vans, computers and software, radios, wheelchair lifts, and other transportation-related equipment. The California Transportation Commission is expected to adopt the FY 2006-07 program of projects in September. The revenue estimates for FY 2006-07 are based on probable funding levels from regional scoring process which at the time of this printing have not been approved by the California Transportation Commission. Future revenue estimates have been based on prior year funding levels escalated at 2%. The next programming cycle will begin in November 2006, and will develop funding priorities for FY 2007-08. SAFETEA requires that a coordinated transit-human services plan be implemented prior to programming these funds.

| FTA 5310 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$3,524 | \$3,594 | \$3,666 | \$3,739 | \$14,523 |
| Programmed Amount | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |
| Unprogrammed Balance | \$3,524 | \$3,594 | \$3,666 | \$3,739 | \$14,523 |

Federal Transit Act Section 5311 Non-Urbanized Formula Program – FTA Section 5311 funds are available to transit operators and Tribal governments that provide transportation services in non-urbanized areas. MTC develops the funding priorities for the Bay Area in conjunction with Caltrans who is the designated recipient and administers the funds. This is a competitive program that provides funds for capital, operating expenses, and related equipment for transportation services. If additional funds for this program become available, new projects will be amended into the TIP in December 2006, and will cover the period FY 2006-07 through FY 2008-09.

| FTA 5311 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$1,179 | \$1,276 | \$1,350 | \$1,325 | \$5,040 |
| Programmed Amount | \$1,000 | \$1,276 | \$1,350 | \$1,325 | \$4,861 |
| Unprogrammed Balance | \$ 179 | \$ -- | \$ -- | \$ -- | \$ 179 |

Federal Transit Act Section 5316 Job Access and Reverse Commute Program (JARC) – FTA Section 5316 funds are available for job access projects designed to transport welfare recipients and other eligible low income individuals to and from jobs and other trips related to

employment. Under SAFETEA, the JARC program was changed from a competitive discretionary grants program to a formula program apportioned to urbanized and non-urbanized areas based on the number of low-income and welfare recipients. Revenue estimates include the regions Large Urbanized Area funds. Small and Non-Urbanized Area funds for the MTC region are subject to a statewide competitive program and therefore were not included in the estimates below. SAFETEA requires that a coordinated transit-human services plan be implemented prior to programming these funds. Once completed, MTC will amend projects into the TIP that are competitively selected and consistent with the plan.

| FTA 5316 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$2,176 | \$2,357 | \$2,486 | \$2,620 | \$9,639 |
| Programmed Amount | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |
| Unprogrammed Balance | \$2,176 | \$2,357 | \$2,486 | \$2,620 | \$9,639 |

Federal Transit Act Section 5317 New Freedom Program – FTA Section 5317 is a new program created by SAFETEA that provides formula funding for new transportation services and public transportation alternatives beyond those required by ADA to assist persons with disabilities. The New Freedom program is apportioned to urbanized areas and non urbanized areas based on the disabled populations. Revenue estimates include the regions Large Urbanized Area funds. Small and Non-Urbanized Area funds for the MTC region are subject to a statewide competitive program and therefore were not included. SAFETEA requires that a coordinated transit-human services plan be implemented prior to programming these funds. Once completed, MTC will amend projects into the TIP that are competitively selected and consistent with the plan.

| FTA 5317 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$1,612 | \$1,741 | \$1,841 | \$1,946 | \$7,140 |
| Programmed Amount | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |
| Unprogrammed Balance | \$1,612 | \$1,741 | \$1,841 | \$1,946 | \$7,140 |

Federal Discretionary Programs (Earmarks): There are funds distributed by Congress annually to transportation projects of special importance to members of Congress. Since the funds are purely discretionary, they cannot be estimated nor programmed prior to congressional action.

| Federal Earmarks | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$27,844 | \$23,741 | \$286,476 | \$ -- | \$338,060 |
| Programmed Amount | \$27,844 | \$23,741 | \$286,476 | \$ -- | \$338,060 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

Surface Transportation Program (STP): Federal transportation legislation authorizes the State of California to distribute Surface Transportation Program (STP) funds to areas within the State based on urbanized population shares. MTC pools the STP funds coming to the San Francisco Bay Area with CMAQ funds to develop a comprehensive and multi-modal program, the STP/CMAQ Program. MTC has established various programs, cooperatively developed with our transportation partners funded by the STP/CMAQ. Primary beneficiary programs of STP are the Local Streets and Road Rehabilitation Shortfall Program, the Transit Capital Rehabilitation Shortfall Program, regional operations programs such as 511 TravInfo™ and Regional Transit Information Systems and planning activities such as Station Area Planning and the Transportation for Livable Communities Planning Programs (TLC). Programming is based on apportionments provided by Caltrans and the Federal Highway Administration (FHWA). STP

apportionments for the SAFETEA period (FY2005-06 through FY2008-09) are fully programmed with the exception of specific project selection in the Local Streets and Roads Program and Transit Capital Shortfall Program, which will be programmed during FY 2006-07 through a TIP amendment. FY 2009-10 is post SAFETEA, and will be programmed through a TIP amendment at a later date, once programming policies are adopted by the Commission.

| STP | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|------------|------------|------------|------------|-----------|
| Available For Programming | \$80,951 | \$89,202 | \$90,780 | \$90,780 | \$351,713 |
| Programmed Amount | \$80,377 | \$58,895 | \$26,149 | \$ -- | \$165,421 |
| Unprogrammed Balance | \$ 574 | \$30,307 | \$64,631 | \$90,780 | \$186,292 |

Congestion Mitigation and Air Quality Improvement Program (CMAQ): Federal transportation legislation authorizes the State of California to spend Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds in air basins that are not in compliance with federal air quality standards. California distributes CMAQ funds to the metropolitan planning organizations (MPOs) based on population and the severity of non-attainment of air quality standards in a particular air basin. MTC pools the CMAQ funds coming to the San Francisco Bay Area with STP funds to develop a comprehensive and multi-modal program, the STP/CMAQ Program. The CMAQ program funds programs that address air quality strategies, such as the Transportation for Livable Communities/ Housing Incentive Program (TLC/HIP), the Regional Bicycle and Pedestrian Program, the Free Transit Program, which provides commuters with free transit trips on days with the potential to exceed clean air standards, TransLink® (universal fare card), Regional Rideshare, and TOS/Incident Management strategies on the highway system.

The amounts available for programming were provided by Caltrans and the Federal Highway Administration (FHWA). CMAQ apportionments in SAFETEA are fully programmed with the exception of specific project selection in the Regional Bicycle/Pedestrian Program, the TLC/HIP programs, and miscellaneous CMAQ projects in Eastern Solano County which will be programmed during FY 06-07 through a TIP amendment. FY 2009-10 is post SAFETEA, and will be programmed through a TIP amendment at a later date, once programming policies are adopted by the Commission.

| CMAQ | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|------------|------------|------------|------------|-----------|
| Available For Programming | \$71,305 | \$75,547 | \$76,345 | \$76,345 | \$299,542 |
| Programmed Amount | \$64,161 | \$26,927 | \$14,700 | \$ -- | \$105,788 |
| Unprogrammed Balance | \$ 7,144 | \$48,620 | \$61,645 | \$76,345 | \$193,754 |

Other Federal Funds: This is a combination of federal formula funds and grants from various federal agencies, including, Department of Homeland Security and the Federal Lands Highway Program. Federal Lands and Highway Program are programmed in the TIP whenever award notification is received from the federal grantor agency.

| Other Federal | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|------------|------------|------------|------------|----------|
| Available For Programming | \$350 | \$10,966 | \$ -- | \$ -- | \$11,316 |
| Programmed Amount | \$350 | \$10,966 | \$ -- | \$ -- | \$11,316 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

State Funds

SHOPP: The purpose of the State Highway Operation and Protection Program (SHOPP) is to preserve and protect the State highway system. In accordance with Streets and Highways Code Section 164.6, the SHOPP is a four-year program of projects with the purpose of collision reduction, bridge preservation, roadway preservation, roadside preservation, mobility or facilities related to the state highway system. The most recent programming is the 2006 SHOPP covering the four-year period from fiscal years 2006/07 through 2009/10, and like the RTIP, the SHOPP is updated every two years. The amount available for programming, and the actual programmed amount reflect the SHOPP funding available to the region as approved by the California Transportation Commission (CTC) on March 16, 2006. The next SHOPP adoption will be in 2008.

| SHOPP | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$465,244 | \$367,035 | \$461,645 | \$329,717 | \$1,623,641 |
| Programmed Amount | \$465,244 | \$367,035 | \$461,643 | \$329,717 | \$1,623,639 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ 2 | \$ -- | \$ 2 |

Regional Transportation Improvement Program (RTIP): The RTIP is a five-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The RTIP comprises 75% of the State Transportation Improvement Program (STIP). Working from a California Transportation Commission (CTC) estimate based on population and road miles, MTC prepares the Bay Area's RTIP based on the current Regional Transportation Plan priorities established by county congestion management agencies, and on comments from interested citizens and project sponsors. The RTIP is updated every two years. The amount available for programming, and the actual programmed amount reflect the County Share balances and programming targets of the 2006 STIP Fund Estimate, and funding committed to the region as approved by the California Transportation Commission (CTC) on April 27, 2006 against the. The next STIP cycle will be in 2008.

| RTIP | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$117,277 | \$211,085 | \$155,142 | \$107,974 | \$591,478 |
| Programmed Amount | \$116,965 | \$198,381 | \$145,753 | \$ 95,656 | \$556,755 |
| Unprogrammed Balance | \$ 312 | \$ 12,704 | \$ 9,389 | \$ 12,318 | \$ 34,723 |

Interregional Transportation Improvement Program (ITIP): The ITIP is a five-year capital improvement program of transportation projects on and off the State Highway System, funded with revenues from the State Highway Account and other funding sources. The ITIP comprises of 25% of the STIP and addresses transportation infrastructure needs that cross metropolitan boundaries and link the state's transportation system. The amount available for programming, and the actual programmed amount reflect the STIP funding committed to the region as approved by the California Transportation Commission (CTC) on April 27, 2006. The next STIP cycle will be in 2008.

| ITIP | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$7,250 | \$66,415 | \$10,009 | \$37,899 | \$121,573 |
| Programmed Amount | \$7,250 | \$65,415 | \$10,009 | \$37,899 | \$121,573 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

Traffic Congestion Relief Program: The Traffic Congestion Relief Program (TCRP) is a program enacted by former Governor Gray Davis. The program authorized \$4.9 billion in complete or partial funding of approximately 150 projects statewide. The goal of the program is to relieve congestion, provide safe and efficient movement of goods and provide connections between various modes of travel. Based on the 2006 STIP Fund Estimate and existing state law, remaining unallocated projects will receive allocations. TCRP funds in the TIP occur in the years project sponsors have requested allocation from the CTC.

| TCRP | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$548,312 | \$135,488 | \$ 3,300 | \$ 1,650 | \$688,750 |
| Programmed Amount | \$548,312 | \$135,488 | \$ 3,300 | \$ 1,650 | \$688,750 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

Local/Regional Funding

Bridge Tolls (Toll on state-owned bridges) – Bridge Toll funding is funding generated from toll collected on the seven state-owned toll bridges in the bay area. Bay Area Toll Authority (BATA) programs, administers and allocates base toll revenues from the seven state-owned bridges to Caltrans for the day-to-day operations, maintenance and administration of these bridges, as well as their capital improvement and rehabilitation. BATA also serves as a pass-through agency for RM2 bridge toll funds to specific voter-approved projects to relieve traffic congestion in bridge corridors, earthquake retrofit of state-owned toll bridges and other traffic mitigation projects related to retrofit work. Other bridge toll funding programs include voter-approved RM1 projects to relieve traffic congestion in bridge corridors, AB 664 Net Bridge Toll Revenues, which are used to match federal- and state-funded transit capital projects that relieve congestion on the San Francisco-Oakland Bay, San Mateo-Hayward and Dumbarton bridges, and Two Percent Bridge Tolls revenues, which are derived from the transit element of RM1 and fund specific ferry capital projects.

| Bridge Tolls | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$233,547 | \$431,407 | \$315,330 | \$307,882 | \$1,288,166 |
| Programmed Amount | \$225,103 | \$372,795 | \$237,251 | \$227,896 | \$1,063,045 |
| Unprogrammed balance | \$ 8,444 | \$ 58,612 | \$ 78,079 | \$ 79,986 | \$ 225,121 |

Other Local Funding - Includes 1/2¢ Sales Tax for transit and other highway improvements in Alameda, San Francisco, Contra Costa, Santa Clara, San Mateo, Sonoma and Marin Counties. It does not include pending sales tax measure like the once in Napa and Solano Counties. Other local funding also includes Garvee Bond financing by local agencies, gas tax subventions, Transportation Development Act (TDA) Articles 4 and 8 (1/4-cent sales tax) for transit operating assistance and capital projects. Programming of local funding takes place as the discretion of local collecting agencies.

| Other Local | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Totals |
|---------------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| Available For Programming | \$1,770,691 | \$1,306,966 | \$1,324,494 | \$664,242 | \$5,066,393 |
| Programmed Amount | \$1,770,691 | \$1,306,966 | \$1,324,494 | \$664,242 | \$5,066,393 |
| Unprogrammed Balance | \$ -- | \$ -- | \$ -- | \$ -- | \$ -- |

Figure 1
Programmed TIP Funds and Available Revenues
FY 2006-07 to FY 2009-10
(in thousands of dollars)

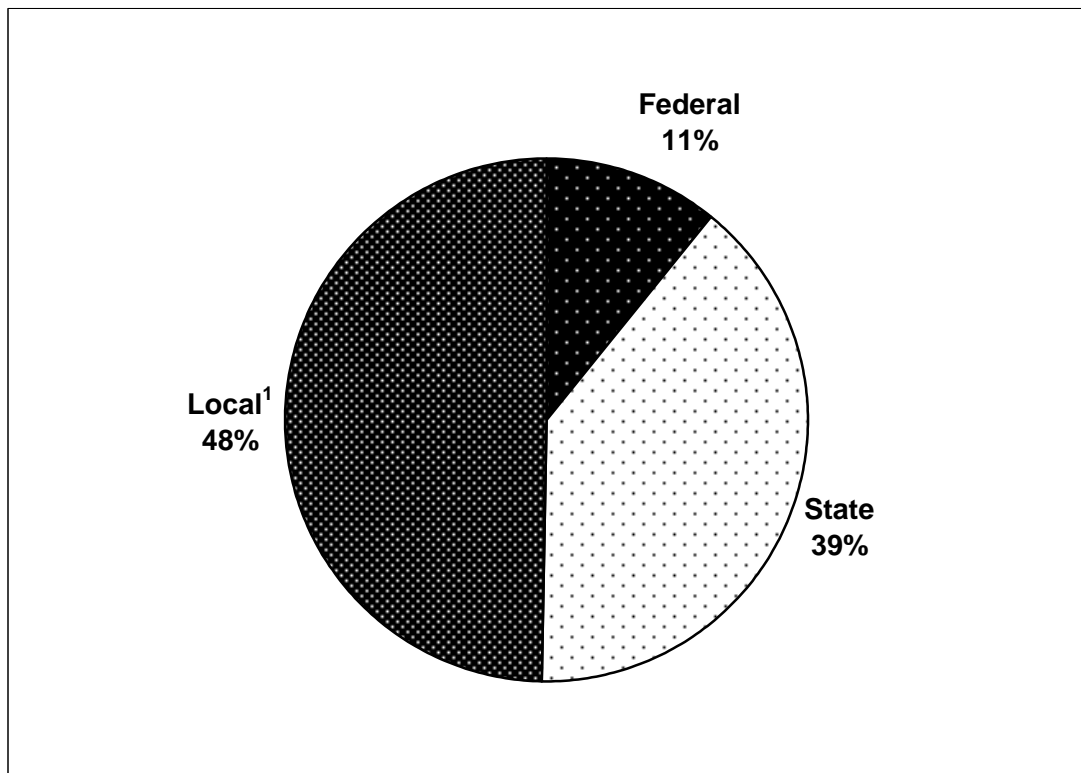
| | Estimated Funds Available FY 06-07 | TIP Programming FY 2006-07 | Estimated Funds Available FY 2007-08 | TIP Programming FY 2007-08 | Estimated Funds Available FY 2008-09 | TIP Programming FY 2008-09 | Estimated Funds Available FY 2009-10 | TIP Programming FY 2009-10 | Total Funds Available FY 2007-10 | Total TIP Programming FY 2007-10 | Unprogrammed Balance |
|---|--|----------------------------------|---|----------------------------------|---|----------------------------------|---|----------------------------------|--|--|-------------------------|
| Federal | | | | | | | | | | | |
| Fed. Discretionary Programs (Earmarks) | 27,844 | 27,844 | 23,741 | 23,741 | 286,476 | 286,476 | - | - | 338,060 | 338,060 | - |
| FTA Section 5309 - Bus ¹ | 19,295 | 15,686 | 20,695 | 16,527 | 21,395 | 16,810 | - | - | 61,385 | 49,024 | 12,361 |
| FTA Section 5309 - Fixed Guideway ¹ | 129,020 | 128,951 | 122,544 | 120,150 | 130,076 | - | 138,072 | - | 519,712 | 249,101 | 270,611 |
| FTA Section 5309 - Capital Investment Grants ¹ | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | - | - | 7,500 | 7,500 | - |
| FTA Section 5307 ¹ | 210,658 | 206,160 | 218,195 | 214,409 | 232,122 | - | 246,936 | - | 907,911 | 420,568 | 487,343 |
| FTA Section 5311 | 1,179 | 1,000 | 1,276 | 1,276 | 1,350 | 1,350 | 1,235 | 1,235 | 5,040 | 4,861 | 179 |
| STP ² | 80,951 | 80,377 | 89,202 | 58,895 | 90,780 | 26,149 | 90,780 | - | 351,713 | 165,421 | 186,292 |
| CMAQ ² | 71,305 | 64,161 | 75,547 | 26,927 | 76,345 | 14,700 | 76,345 | - | 299,542 | 105,788 | 193,754 |
| Other Fed | 350 | 350 | 10,966 | 10,966 | - | - | - | - | 11,316 | 11,316 | - |
| Total Federal | 543,102 | 527,029 | 564,666 | 475,391 | 841,044 | 347,985 | 553,368 | 1,235 | 2,502,180 | 1,351,640 | 1,150,539 |
| State | | | | | | | | | | | |
| Regional I ransportation Improvement Program (RTIP) ³ | 117,277 | 116,965 | 211,085 | 198,381 | 155,142 | 145,753 | 107,974 | 95,656 | 591,478 | 556,755 | 34,723 |
| Inter-regional I ranspiration Improvement Program (ITIP) ³ | 7,250 | 7,250 | 66,415 | 66,415 | 10,009 | 10,009 | 37,899 | 37,899 | 121,573 | 121,573 | - |
| SHOPP | 465,244 | 465,244 | 367,035 | 367,036 | 461,645 | 461,643 | 329,717 | 329,716 | 1,623,641 | 1,623,639 | 2 |
| TCRP | 548,312 | 548,312 | 135,488 | 135,488 | 3,300 | 3,300 | 1,650 | 1,650 | 688,750 | 688,750 | - |
| Highway Bridge Rehab. Restoration | 11,471 | 9,560 | 110,175 | 110,175 | 55,195 | 55,195 | 5,421 | 5,421 | 182,262 | 180,351 | 1,911 |
| Other State ⁴ | 716,989 | 716,989 | 231,345 | 231,345 | 693,519 | 693,519 | 43,105 | 43,105 | 1,684,958 | 1,684,958 | - |
| Total State | 1,866,543 | 1,864,320 | 1,121,543 | 1,108,840 | 1,378,810 | 1,369,419 | 525,766 | 513,447 | 4,892,662 | 4,856,026 | 36,636 |
| Regional/Local | | | | | | | | | | | |
| Bridge Toll Funding ⁵ | 233,547 | 225,103 | 431,407 | 372,795 | 315,330 | 237,251 | 307,882 | 227,896 | 1,288,166 | 1,063,045 | 225,121 |
| Local Advance Construction | 6,044 | 6,044 | - | - | - | - | - | - | 6,044 | 6,044 | - |
| Local sales tax funding/Other local funding | 1,770,691 | 1,770,691 | 1,306,966 | 1,306,966 | 1,324,494 | 1,324,494 | 664,242 | 664,242 | 5,066,393 | 5,066,393 | - |
| Total regional/local | 2,010,282 | 2,001,838 | 1,738,373 | 1,679,761 | 1,639,824 | 1,561,745 | 972,124 | 892,138 | 6,360,603 | 6,135,482 | 225,121 |
| | \$ 4,419,927 | \$ 4,393,187 | \$ 3,424,581 | \$ 3,263,992 | \$ 3,859,678 | \$ 3,279,149 | \$ 2,051,258 | \$ 1,406,820 | \$ 13,755,444 | \$ 12,343,148 | \$ 1,412,296 |

Notes

- 1) The calculation of Section 5307/5309 funding is an MTC estimate based on the guaranteed funding levels and three years of actual data.
- 2) STP and CMAQ funds estimated to be available are amounts estimated to be available to the region by FHWA and Caltrans Office of Transportation Programming.
- 3) Estimated RTIP and ITIP funds are estimated amounts per the latest CTC fund estimate.
- 4) Includes AB1171 and AB144 funds for the San Francisco Bay Bridge East Span Replacement Project.
- 5) FY 2007-08 funding includes \$87m carryover funding from FY2006-07.

Figure 2
Programmed TIP Funds by Federal/State/Local Source
 Figures in thousands of dollars

| Federal/State/Local | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | Total Funds for 4 year Period |
|---------------------|---------------------|---------------------|---------------------|---------------------|----------------------------------|
| Federal | \$ 527,029 | \$ 475,391 | \$ 347,985 | \$ 1,235 | \$ 1,351,640 |
| State | 1,864,320 | 1,108,840 | 1,369,419 | 513,447 | 4,856,026 |
| Local ¹ | 2,001,838 | 1,679,761 | 1,561,745 | 892,138 | 6,135,482 |
| Total | \$ 4,393,187 | \$ 3,263,992 | \$ 3,279,149 | \$ 1,406,820 | \$ 12,343,148 |

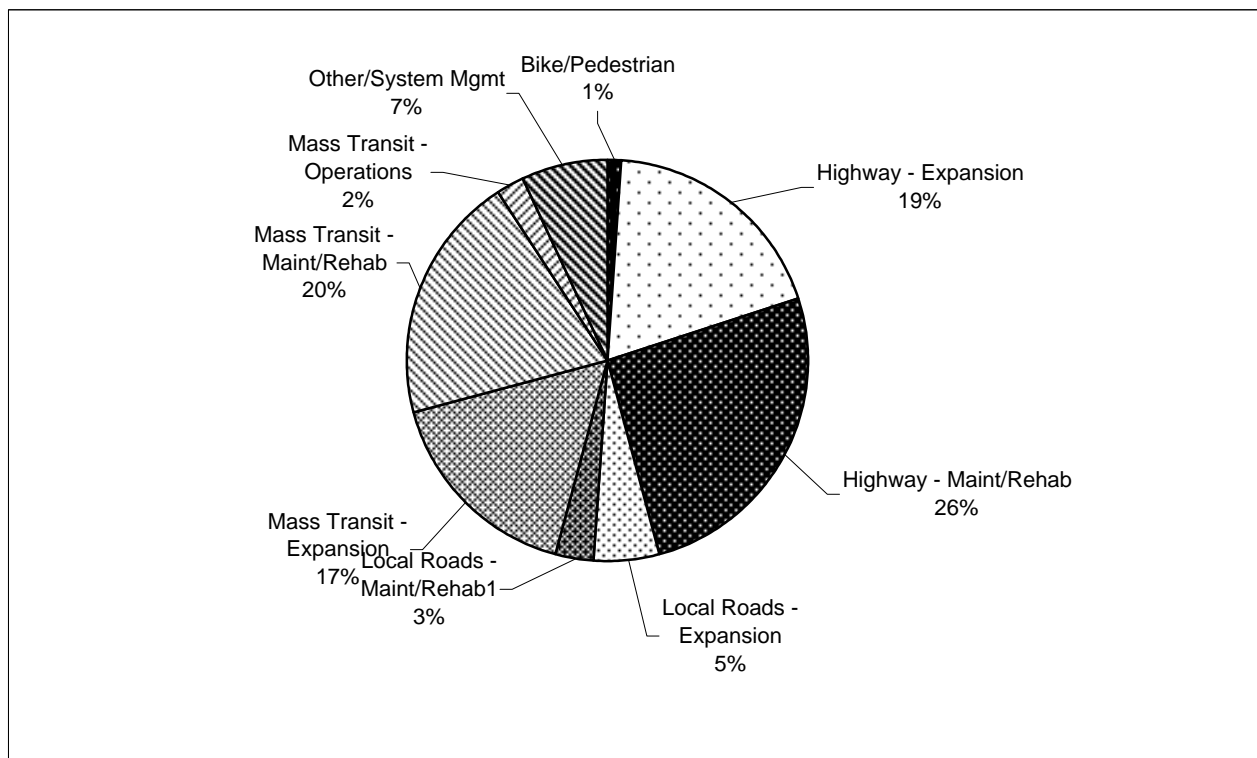


¹ The TIP does not account for all transportation expenditures in the Bay Area. For example, locally funded projects that do not significantly affect the regional transportation system or regional air quality are not included in the TIP, although collectively they represent a considerable portion of the overall revenues available to the region for transportation investments. It should be noted that many of these locally funded projects support transit operations and the maintenance of local streets and roads. The dollar value of these non-TIP projects is not represented in these figures, but is included in MTC's long-range Regional Transportation Plan.

Figure 3
Programmed TIP Funds by Mode and Purpose

Figures in thousand of dollars

| Project Type | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY2009-10 | Total Funds for 4-year Period |
|--|---------------------|---------------------|---------------------|---------------------|-------------------------------------|
| Bike/Pedestrian | \$ 45,064 | \$ 34,852 | \$ 35,803 | \$ 13,414 | \$ 129,134 |
| Highway - Expansion | 476,353 | 542,172 | 908,858 | 401,948 | 2,329,331 |
| Highway - Maint/Rehab | 983,856 | 658,072 | 1,203,562 | 366,145 | 3,211,635 |
| Local Roads - Expansion | 158,942 | 99,273 | 345,152 | 45,409 | 648,776 |
| Local Roads - Maint/Rehab ¹ | 224,588 | 54,700 | 68,429 | 10,223 | 357,940 |
| Mass Transit - Expansion | 779,159 | 524,870 | 373,432 | 386,863 | 2,064,325 |
| Mass Transit - Maint/Rehab | 1,384,471 | 1,043,406 | 28,628 | 24,966 | 2,481,471 |
| Mass Transit - Operations | 71,393 | 101,449 | 37,709 | 56,435 | 266,985 |
| Other/System Mgmt | 269,361 | 205,197 | 277,578 | 101,416 | 853,551 |
| | \$ 4,393,187 | \$ 3,263,992 | \$ 3,279,149 | \$ 1,406,819 | \$ 12,343,148 |



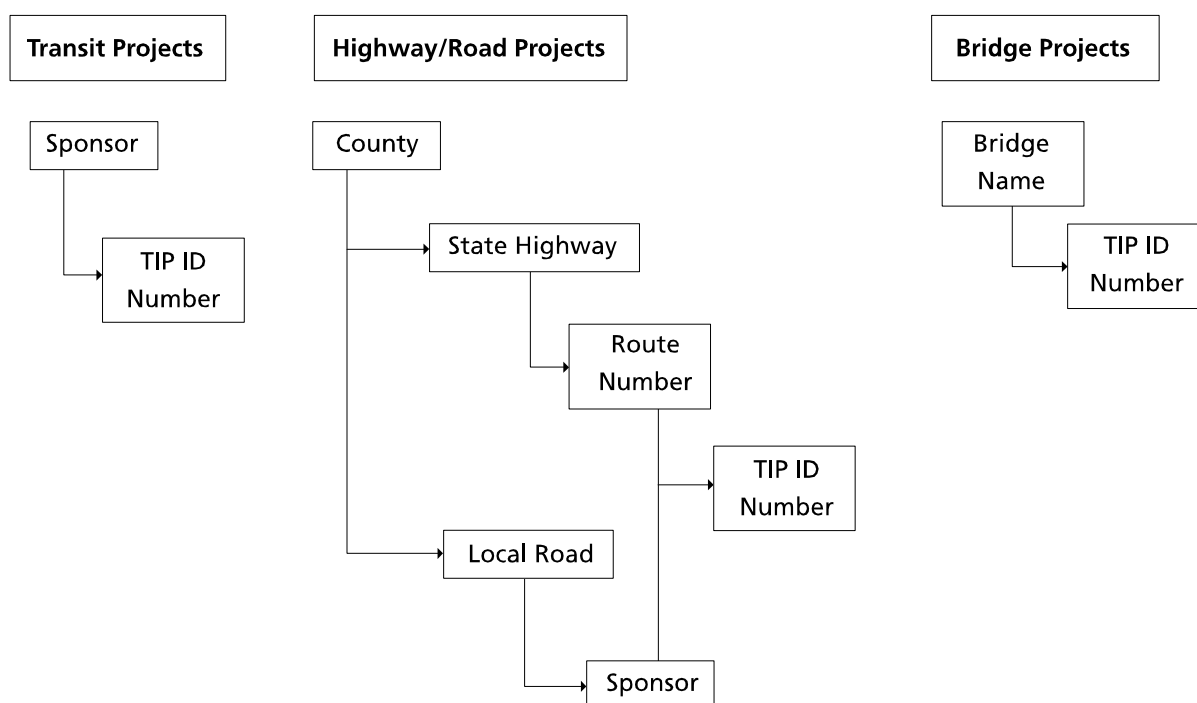
¹ The TIP does not account for all transportation expenditures in the Bay Area. For example, locally funded projects that do not significantly affect the regional transportation system or regional air quality are not included in the TIP, although collectively they represent a considerable portion of the overall revenues available to the region for transportation investments. It should be noted that many of these locally funded projects support transit operations and the maintenance of local streets and roads. The dollar value of these non-TIP projects is not represented in these figures, but is included in MTC's long-range Regional Transportation Plan.

How to Read the Project Listings

Organization

Project listings provide a detailed description for each individual project listed in the 2007 TIP. The projects in the TIP are organized alphabetically by transit agency, followed by roadway projects listed alphabetically by county. Within each county's roadway project listing, the projects are sorted into state highway projects first (by route number), followed by local roadway projects sorted alphabetically by sponsor.

Producing the TIP Sort Order Plan



Key to Format

The detailed listing contains the following information for each project:

| Data Label | Definition |
|-------------------------|---|
| TIP ID | A unique number used to identify projects in the TIP. |
| RTP ID | A unique number used to identify projects in the Regional Transportation Plan (RTP) |
| CTIPS ID | A unique number used to identify projects in the California Transportation Improvement Program System (CTIPS) |
| Sponsor | Agency in charge of administering a project. |
| Co-Sponsor | Agency administering or implementing a project in partnership with the Sponsor. |
| Project Name | Name or title of the project. |
| Project | Brief description of the project and project location. |
| County | The county in which the project is located. |
| Mode | The mode of transportation for which the project improvement is attributed: public transit, (Transit), local streets and roads (Local Hwy), State Highway System or Interstate System (State Hwy), and Toll Bridge (Bridge). |
| Route | The State Highway System (SHS) or State Route (SR) number (if applicable). |
| Level of Review | For air quality purposes, projects are assigned to receive a particular level of review. AA (Administratively Approved) is for projects exempt from air quality review, PR (Project Review) is for large, capacity increasing projects. Small projects that are not specifically exempted from the CO impact analysis, but can be approved administratively if the sponsor performs a CO "hot spot" analysis are designated AACO. |
| Air Quality Exempt Code | Air Quality Exemption status per federal Environmental Protection Agency (EPA). A list of Air Quality Exempt Codes may be found in Appendix A-18. |
| Fund Source | The funding source. A list of all funding sources may be found in Appendix A-15. |
| Phase | The stage of the project for which the specified funds have been programmed. Phases include: environmental (ENV), design engineering (PSE), Preliminary Engineering (PE), right of way acquisition (ROW), Caltrans support for right of way (ROW-CT), construction (CON), and Caltrans support for construction (CON-CT). |
| Prior Years | Funding in years prior to the four years of the TIP. These funds are shown for information only and are not part of the four years of the TIP. |
| Later Years | Funding in years after the four years of the TIP. These funds are shown for information only and are not part of the four years of the TIP. |
| Total Programming | Total project funding, including prior and later-year funds. |
| Carryover to FY 2006-07 | Carryover of any funding programmed prior to FY 2006-07 that has been obligated but must remain in the current TIP for financial purposes – such as needing funding adjustments for cost savings or cost increases, or awaiting award of a contract or an FTA grant. |
| FY 2006-07, etc. | Fiscal year. The Fiscal Year (FY) in the TIP is from October 1 to September 30 of the following calendar year. The 2007 TIP covers the four-year period of FY 2006-07, FY 2007-08, FY 2008-09 and FY 2009-10. |

Sample project listing:

TIP ID: ALA01003 **County:** Alameda **Mode:** Transit **RTP ID:** 94004 **CTIPS ID:** 20600002155

Project Name: AC Transit Maintenance Facilities Upgrade

Project: In Alameda County: AC Transit District-wide facilities & equipment upgrades.

Air Quality Exempt Code: 2.04

Sponsor: Alameda Contra Costa Transit District (AC Transit)

| Route: 0 | | From Mile: | | To Mile: | | | Level of Review: AA | | | |
|-----------------------|-------|----------------|----------------------|----------------|----------------|------------|---------------------|------------|-------------|-------------------|
| Fund Source | Phase | Prior Years | Carryover to FY06-07 | FY 2006-07 | FY 2007-08 | FY 2008-09 | FY 2009-10 | FY 2010-11 | Later Years | Total Programming |
| BRIDGE TOLL | CON | \$342 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$342 |
| FTA 5307 | CON | \$2,533 | \$0 | \$1,033 | \$1,594 | \$0 | \$0 | \$0 | \$0 | \$5,160 |
| OTHER LOCAL | CON | \$275 | \$0 | \$259 | \$880 | \$0 | \$0 | \$0 | \$0 | \$1,414 |
| RTIP | CON | \$0 | \$0 | \$3,705 | \$0 | \$0 | \$0 | \$0 | \$0 | \$3,705 |
| Total Funding: | | \$3,150 | \$0 | \$4,997 | \$2,474 | \$0 | \$0 | \$0 | \$0 | \$10,621 |

WEB PAGE ACCESS**How to View the TIP on the Internet**

The Metropolitan Transportation Commission (MTC) has put the entire Transportation Improvement Program (TIP) on the Internet. This allows project sponsors and the general public to see what transportation projects are planned in their area and in the MTC region.

To view the TIP on the Internet, you will need a computer with Internet access capabilities or you can visit any public library in the Bay Area and ask to use their Internet computer. Once on the startup page of the computer you are using, type in the following Universal Resource Locator (URL) into the address line of the Web browser:

<http://www.mtc.ca.gov>

This will take you to MTC's Home Page. From this site, you will then move your mouse to the Site Index section on the left side of the screen and click on the word "*Library.*" This will take you to MTC's Library page. The TIP is listed as a feature on this page. Clicking on the "Transportation Improvement Program (TIP)" link will take you to the TIP page.

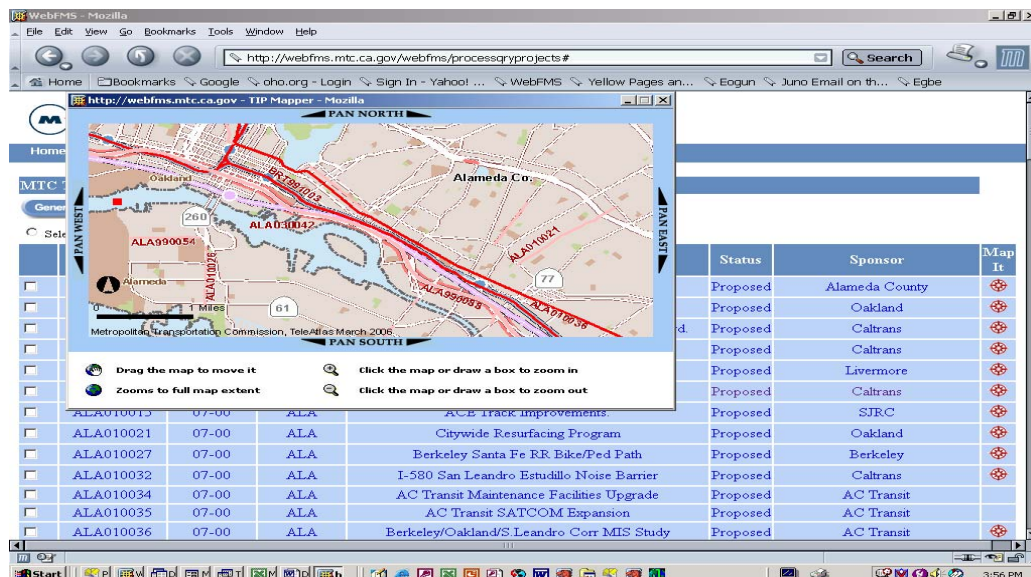
From there you can follow the on-line instructions to view actual TIP project listings or other portions of the TIP. For easier and faster access to the TIP, once on the startup page of your computer, type in the following URL into the address line and it will take you directly to the TIP Web page:

<http://www.mtc.ca.gov/funding/tip/index.htm>

View Project Locations in the TIP Interactively

To meet new SAFETEA requirements regarding Visualization Techniques, WebFMS will include new mapping enhancements which allow users to view projects in the 2007 TIP interactively. To view the listed projects, visit the WebFMS application at: <http://webfms.mtc.ca.gov/webfms/home>.

Once at the WebFMS homepage screen, select “Project Search,” then select Amendment “07-00” and click on “Search For Projects” which brings up a complete list of the 2007 TIP projects. A list of all the TIP projects will be displayed. Projects that can be mapped interactively display a button in the right most column of the listing under the “Map It” header. By clicking on this button, a new window containing the project area map should appear.



If you have problems accessing MTC's on-line TIP, you can contact either:

Raymond Odunlami
 Phone: 510-817-5799
 Email: rodunlami@mtc.ca.gov

or

Mark Miletich
 Phone: 510-817-5814
 Email: mmiletich@mtc.ca.gov

MEGA PROJECTS IN THE 2007 TIP

(TOP TWENTY PROJECTS, IN TERMS OF TOTAL PROGRAMMING IN 4-YEAR TIP)

| TIP ID | County | Sponsor | Project Name | Project Description | Programmed Amount (FY 2007-10) |
|-----------|--------------|----------|--|---|--------------------------------|
| ALA977038 | Alameda | Caltrans | San Francisco-Oakland Bay Bridge | In San Francisco-Oakland: Bay Bridge; East Span Replacement Project. | \$1,334,520,000 |
| BRT991003 | Regional | BART | BART Earthquake Safety Program | BART: Seismic Retrofit Program; Upgrade the entire System against forces from local fault lines using current seismic design standards. | \$1,025,474,000 |
| MTC050009 | Regional | Caltrans | Lump Sum SHOPP - Roadway Preservation | Lump Sum Shopp - Roadway Preservation: Various locations; Repair of State highway. | \$546,726,000 |
| BRT030001 | Santa Clara | VTa | BART - Warm Springs to San Jose/ Santa Clara Extension | BART: Extend from Fremont Warm Springs to Milpitas, San Jose and Santa Clara: Env., Preliminary Engineering & ROW Only. | \$564,146,000 |
| MTC050011 | Regional | Caltrans | Lump Sum SHOPP - Collision Reduction | Lump Sum Shopp - Collision Reduction: Various locations; Collision Reduction activities on State highway. | \$454,338,000 |
| SM-050002 | San Mateo | SMCTA | Dumbarton Bridge Corridor Rail Service | Dumbarton Bridge: ROW procurement to enable rail service over Dumbarton bridge. | \$325,691,000 |
| ALA050015 | Alameda | BART | BART - Warm Springs Extension | Fremont: Fremont BART station to Warm Springs; Extend BART to the Southern end of Alameda Co. including new station at Irvington. | \$297,318,000 |
| BRT050003 | Regional | BART | BART - Transbay Tube Seismic Retrofit | San Francisco: Transbay Tube; Seismically retrofit the BART Tube/Tunnel which connects Oakland to San Francisco. | \$294,214,000 |
| CC-050025 | Contra Costa | CCTA | E-BART - East Contra Costa Rail Extension | Pittsburg/Antioch: East Contra Costa County; Extend Rail Service from the Pittsburg/Bay Point Station into eastern Contra Costa County | \$230,000,000 |
| CC-010002 | Contra Costa | Caltrans | SR 24 - Caldecott Tunnel 4th Bore | Caldecott Tunnel: SR 24; Develop and construct 2-lane bore adjacent to existing tunnels. | \$182,510,000 |
| CC-030028 | Contra Costa | CCTA | SR 4 East - Widening from Somersville to | Pittsburg/Antioch: SR 4 from Somersville to SR160; Expand Hwy from 4 lanes to 8 lanes | \$178,242,000 |

| TIP ID | County | Sponsor | Project Name | Project Description | Programmed Amount (FY 2007-10) |
|-----------|-------------|--------------|--|---|--------------------------------|
| | | | SR 160 | plus including HOV lanes. | |
| SCL050002 | Santa Clara | MTA | MTA Rail Replacement Program | MTA: Rail Replacement Program throughout the Light Rail system (no rail expansion). | \$173,003,000 |
| MRN050018 | Marin | GGBHT D | Golden Gate Bridge Seismic Retrofit, Phase 3B | SF/Marin County: Golden Gate Bridge; Seismic retrofit of the Golden Gate Bridge - construction of suspension span, south pier and fender. | \$161,752,000 |
| MTC050006 | Regional | Caltrans | Lump Sum SHOPP - Mobility | Lump Sum SJOPP - Operations; Various locations throughout the Region. Projects are consistent with 40 CFR Part 93.126, 127, 128, Exempt Tables 2 & 3. | \$153,309,000 |
| ALA991084 | Alameda | ACCMA | I-680 Sunol Grade - Alameda South Bound HOV Lane Final Phase | Sunol Grade Corridor: Stone Ridge in ALA to SR 237 in SCL: New HOV lane, shoulders and other project clean up. ALA portion. Additional funding in ALA991084, SCL991076 & SCL991077, ALA990016, ALA010014. | \$151,101,000 |
| ALA070003 | Alameda | Caltrans | I-880 Fifth Ave. Bridge Seismic Retrofit/ Replacement | Oakland: On I-880 at Fifth Avenue: Seismic retrofit and Replace bridge (33-27). | \$145,472,000 |
| SM-070008 | San Mateo | Caltrain | Caltrain Express: Phase 2 | Caltrain Express Phase II; Extend express service including addition of track capacity in key locations and other improvements to facilitate higher levels of Express service. | \$140,000,000 |
| SOL070005 | Solano | Solano Co TA | Solano I-80 HOV Lane - Air Base Pkwy to I-505 | Vacaville: On I-80 from Air Base Parkway to I-505; Construct EB/WB HOV Lanes. | \$128,000,000 |
| ALA070007 | Alameda | Caltrans | I- 880 High Street Bridge Seismic Retrofit/ Replacement | Oakland: On High Street (SR 77) at 880 off ramp; Replace bridge and seismic retrofit (#33-146S & #33-146W). | \$125,732,000 |
| BRT990002 | Alameda | BART | BART Oakland Airport Connector | Oakland: Between the Oakland Coliseum BART station & the Oakland International Airport; Construct 3.2 miles fixed guideway connector. | \$109,470,000 |
| Total: | | | | | \$6,721,018,000 |

Contacts for Questions About the TIP

For questions on the TIP, you may contact:

Ross McKeown
Phone: 510-817-5842
Email: rmckeown@mtc.ca.gov

or

Raymond Odunlami
Phone: 510-817-5799
Email: rodunlami@mtc.ca.gov

For detailed information on individual projects, the particular project sponsor or lead implementing agency should be contacted directly. General information on the transportation financing process can be found in two MTC publications, *Moving Costs: A Transportation Funding Guide for the Bay Area* and the *Citizens' Guide to the Metropolitan Transportation Commission*. Both are posted on MTC's Web site at www.mtc.ca.gov/publications. Printed copies are available through the MTC/ABAG Library and may be ordered via e-mail library@mtc.ca.gov, fax (510.817.5852) or telephone (510. 817.5836).

This page intentionally left blank

TIP Amendment Process and Procedures

**Metropolitan Transportation Commission
2007 Transportation Improvement Program (TIP)
Amendment Process and Procedures
July 26, 2006**

The Transportation Improvement Program (TIP)

The federally required Transportation Improvement Program, or TIP, is a comprehensive listing of all Bay Area transportation projects that receive federal funds or are subject to a federally required action, or are regionally significant. The Metropolitan Transportation Commission (MTC) prepares and adopts the TIP every two years. By law, the TIP must cover at least a four-year period and contain a priority list of projects grouped by year. Further, the TIP must be financially constrained by year, meaning that the amount of dollars programmed must not exceed the amount of dollars estimated to be available. The TIP must include a financial plan that demonstrates that programmed projects can be implemented. Adoption of the TIP must be accompanied by an evaluation and finding of air quality conformity. Federal regulations also require an opportunity for public comment prior to TIP approval.

Transportation investments, including public transit, rail, highway, local roadway, bicycle and pedestrian improvements are included in the TIP. Apart from improvements to the region's airports, seaports, and privately-owned bus terminals and rail facilities, all regionally significant public transportation projects in the region are included in the TIP. All projects in the MTC-prepared TIP must be derived from and/or consistent with the long-range transportation plan for the San Francisco Bay Area - MTC's Regional Transportation Plan (RTP).

The impact of the TIP on regional air quality must also be evaluated. In the San Francisco Bay Area, it is the responsibility of MTC to make an air quality conformity determination for the TIP in accordance with federal Clean Air Act requirements and Environmental Protection Agency (EPA) air quality conformity regulations.

Changes to the TIP

From time to time circumstances dictate that changes be made to the TIP following its adoption. Federal regulations permit changes to the TIP if the procedures for doing so are consistent with federal requirements for TIP development and approval, and consistent with federal procedures for modifications to the Federal Statewide Transportation Improvement Program (FSTIP). These changes, or amendments, should not be considered routine. MTC will consider such amendments when the circumstances prompting the change are compelling, and the change will not adversely affect air quality conformity or financial constraint findings of the TIP.

Proposed changes will be reviewed by MTC staff before any actions are considered. All changes must follow MTC policies on the Public Involvement Process and Federal Air Quality Procedures and Conformity Protocol, and follow federal procedures for modifying the FSTIP. Changes must be consistent with the RTP, must not adversely affect the timely implementation of Transportation Control Measures (TCMs), must maintain the financial constraint of the TIP, must be consistent with federal Title VI requirements, and must not adversely affect the air quality conformity finding of the TIP. Proposed additions or changes to projects must also be consistent with the rules of the particular funding program involved. For example, the process for amending State Transportation Improvement Program (STIP) funded projects involves

additional requirements as provided in the California Transportation Commission (CTC) STIP guidelines.

MTC often solicits funding applications for new projects during the TIP cycle. For example, during the 2005 TIP cycle, project applications were solicited for Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Federal Transit Administration (FTA), and State Transportation Improvement Program (STIP) funding. Once new projects proposed for funding are identified, and the funding committed, staff initiates the process to amend the projects and project funding into the TIP. All rules for amending new projects into the TIP are followed (Public involvement process, Title VI requirements, RTP consistency, air quality conformity, financial constraint, implementation of TCMs etc.).

When MTC is not involved in the programming decision associated with a project, staff relies on project sponsors to initiate a TIP amendment. If MTC is aware of new funding (i.e. Federal earmarks, one-time state funding programs, etc), staff may alert sponsors of the funding commitment and request that an amendment be initiated that more fully documents the project scope and funding commitment. However, generally it is up to the project sponsor to initiate amendment requests to add new funding, or make necessary adjustments to project scope, cost and schedule, as conditions warrant.

All regionally significant transportation projects, and all surface transportation projects with federal funding or requiring a federal action, must be included in the TIP. These projects may be added to the TIP at any time, as long as procedures for doing so are consistent with federal requirements for TIP development, modification and approval.

Title VI Compliance

Investments made in the TIP must be consistent with federal Title VI requirements. Title VI prohibits discrimination on the basis of race, color, income, and national origin in programs and activities receiving federal financial assistance. Public outreach to and involvement of individuals in low income and minority communities covered under Title VI of the Civil Rights Act and subsequent Civil Rights Restoration Act, and series of federal statutes enacted pertaining to environmental justice, are critical to regional planning and programming decisions. The fundamental principles of environmental justice include:

Avoiding, minimizing or mitigating disproportionately high and adverse health or environmental effects on minority and low-income populations;
Ensuring full and fair participation by all potentially affected communities in the transportation decision-making process; and
Preventing the denial, reduction or significant delay in the receipt of benefits by minority populations and low-income communities.

The decision process by which new projects are selected for inclusion in the TIP must consider equitable solicitation and selection of project candidates in accordance with federal Title VI requirements.

Public Involvement Process

MTC is committed to a public involvement process that is proactive and provides comprehensive information, timely public notice, full public access to key decisions, and

opportunities for continuing involvement. MTC provides many methods to fulfill this commitment, as outlined in MTC Resolution No. 2648, including the following elements:

Posting information in a timely manner on the MTC website and in the MTC-Association of Bay Area Governments (ABAG) Library, targeting a wide audience. The web site provides information about MTC's projects and programs, the agency's structure and governing body and upcoming public meetings and workshops. It contains all of MTC's current planning and programming documents, publications located in the MTC-Association of Bay Area Governments (ABAG) Library. The site also posts agendas and packets as well as audiocasts, making it possible for interested parties to "tune in" at their convenience to all Commission and standing committee meetings held in the MetroCenter's Lawrence D. Dahms Auditorium

MTC encourages interested individuals to attend MTC Commission and Committee meetings to express their views. Items on the Commission agenda usually come in the form of recommendations from MTC standing committees. Much of the work of MTC is done at the committee level, thus the public is encouraged to participate at this stage. All MTC meetings are open to the public. Agendas and meeting packets for all of MTC's standing committees, the Commission and Advisory Committees are posted on the Web site approximately one week prior to each meeting. In addition, MTC's Public Information Office publishes a monthly tentative meeting schedule, and sends copies of this, as well as specific meeting agendas, to interested members of the public. Written materials that accompany agenda items, often available on the Web, are also made available to the public at committee meetings. In addition, the materials are available from the MTC/ABAG Library or from the MTC Public Information Office. Notices of these meetings, complete with the date, time, location and preliminary agenda, are posted on MTC's website at least 72 hours prior to each meeting and mailed out at least one week prior to the date of the meeting. Final agendas are posted 72 business hours in advance of the meeting time.

Discussions on specific issues are held at a Commission or committee meeting. Notices of these public meetings are made available in advance of the meetings. Documents containing the proposals to be considered at MTC public meetings are available at the meeting and made available to interested citizens upon request. In addition, these documents are placed on the Internet to the extent possible.

MTC also conducts workshops, community forums, conferences and other events to keep the public informed and involved in various transportation projects and plans and to elicit feedback from the public and MTC's partners. MTC holds meetings throughout the nine-county San Francisco Bay Area to solicit comments on major plans and programs, such as the long-range Regional Transportation Plan. Meetings are located and scheduled to maximize public participation (including evening meetings).

Having the congestion management agencies (CMAs) as full partners in the development of the TIP and subsequent amendments requires full participation and commitment of the CMAs to a broad, inclusive public involvement process. Federal regulations call for active outreach strategies in any metropolitan planning process, but opportunities for the public to get involved are especially important with the selection process for projects to be included in the TIP.

Below are suggestions for congestion management agencies to use in seeking suggestions and comments on proposed projects that will be submitted to MTC for inclusion in the TIP and subsequent TIP amendments. Further guidance is contained in the CMA Guidelines for Public Involvement Strategy for the *Transportation 2030 Plan*.

- Hold public meetings to adequately cover the major population centers and sub-areas within the county. These meetings should be structured to ensure the inclusion of the views and concerns of low-income and minority communities covered under Title VI of the Civil Rights Act.
- Provide for the public the key decision milestones in the process, so that interested residents can follow the process and know in advance when the CMA board will take action.
- In addition to the public meetings above, provide and publicize opportunities for affected stakeholders to comment about county projects at regularly scheduled meetings of the CMA policy board.
- Make a concerted effort to publicize meetings to a wide range of interest organizations and residents, including groups representing low-income and minority communities.

Types of TIP Amendments

Federal and State policies distinguish between two types of TIP amendments: Administrative Action/Amendments and Formal/Major Amendments. These types of amendments differ based on the magnitude of the proposed change and the level of review required by various federal, state and local agencies. As a general rule, significant changes to the cost, scope and schedule of a project listing requires a Formal Amendment, whereas minor changes in fund sources, project description, lead agency, or existing project phase amounts may be processed through administrative actions. The MTC Commission, the California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must approve Formal Amendments. Approval of Administrative Actions has been delegated to MTC's Executive Director and the Caltrans Office of Federal Programming.

Proposed amendments to the Federal TIP, other than Administrative Actions, must be developed in accordance with the provisions of 23 CFR 450.326 and/or 23 CFR 450.216, and approved by the federal agencies in accordance with 23 CFR 450.220. In general terms, these regulations state the TIP may be modified at any time consistent with the procedures agreed to by the cooperating parties for developing the TIP and all other federal requirements in 23 CFR part 450 concerning the development, public involvement, and federal agencies approval of the TIP.

Regardless of the type of change, all modifications must be consistent with the RTP, must maintain the financial constraint of the TIP, must be consistent with federal Title VI requirements, and must consider the affect on the air quality conformity finding of the TIP and timely implementation of Transportation Control Measures (TCMs). Administrative Actions cannot affect the air quality determination for the TIP, cannot negatively affect the timely implementation of TCMs and cannot negatively impact the financial constraint of the TIP.

Administrative Actions

The following changes may be made through an Administrative Action, as long as the change occurs within the four years of the TIP, does not affect the air quality determination for the TIP, does not adversely affect the timely implementation of TCMs, and does not adversely impact the financial constraint of the TIP:

- Revision or clarification of the project description without changing the project scope or conflicting with the environmental document;

- Revision to the funding amount listed for a project's phases. Additional funding is limited to the lesser of 20 percent of the project cost or \$2 million;
- Changes to the source of funds;
- Changes to a project sponsor or implementing lead agency;
- Splits or combines to individually listed projects; as long as cost, schedule, and scope remain unchanged;
- Changes requiring information for grouped project (lump sum) listings; or,
- Adding or deleting projects from grouped project (lump sum) listings as long as the funding amounts is limited to the lesser of 20 percent of the project cost or \$2 million.

Administrative Actions are generally processed on a monthly basis, and take about 30 days to process. These actions need to be approved by MTC's Executive Director and Caltrans Office of Federal Transportation Programming.

Because Administrative Actions do not add or delete projects, and do not affect the air quality conformity finding of the TIP and do not adversely affect the timely implementation of TCMs, new determinations of air quality conformity are not necessary.

Formal Amendment

Formal Amendments are changes other than Administrative Action. Formal Amendments are usually processed on a quarterly basis and may take about 90 days to process. Formal Amendments need to be approved by the MTC Commission, Caltrans, FHWA and FTA. Adding or deleting a project, or changes in funding greater than \$2 million or 20 percent of the total project costs, are considered Formal Amendments.

Proposed Formal Amendments to the Federal TIP, other than Administrative Actions, must be developed in accordance with the provisions of 23 CFR 450.326 and/or 23 CFR 450.216, and approved by the federal agencies in accordance with 23 CFR 450.220. In general terms, these regulations state the TIP may be modified at any time consistent with the procedures agreed to by the cooperating parties for developing the TIP and all other federal requirements in 23 CFR part 450 concerning the development, public involvement, and federal agencies approval of the TIP.

The interagency consultation or coordination requirements of 23 CFR 450.216(c) and 23 CFR 450.22 will be followed for all Formal Amendments to the TIP. In some instances it may be necessary to convene the Air Quality Conformity Task Force to review and evaluate changes to air quality non-exempt projects, and resulting impacts to the timely implementation of TCMs, and air quality conformity finding of the TIP, prior to approval of an amendment, in accordance with the San Francisco Bay Area Transportation Air Quality Conformity Interagency Consultation process.

All changes that do not fall within the category of an Administrative Action are processed as Formal Amendments. The following changes are examples of changes made through a Formal Amendment:

- Adding or deleting projects
- Funding changes greater than 20% of the total cost or greater than \$2 million
- Adding a new final design or right of way phase – if the construction phase is not already listed within the TIP

- Significant changes in project scope, so as to alter the original intent of the project (may require review by the Air Quality Conformity Task Force in accordance with Air Quality Conformity Interagency Consultation process).

These amendment classifications and procedures are consistent with the Statewide TIP Modification Guidelines as prepared by the California Federal Programming Group (CFPG), California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). It is intended that MTC's TIP Amendment Process and Procedures follow, and adhere to the provisions of the Statewide TIP Modification Guidelines.

Expedited Project Selection Process

Federal Regulations 23 Code of Federal Regulations (CFR) Part 450.332 allow for the movement of projects within the period of the Transportation Improvement Program (TIP) and Federal Statewide Transportation Improvement Program (FSTIP) subject to procedures agreed to by partnering agencies, including the State and transit operators within the region. MTC, as the Metropolitan Planning Organization (MPO) for the nine-county San Francisco Bay Area Region has a process in place, as outlined below, developed in consultation with the region's transportation partners that permits the movement of projects consistent with the Expedited Project Selection Process outlined in Code of Federal Regulations (CFR) 450.332(c). The projects listed within the TIP have all been selected based on the regulations in 23 CFR Part 450. Federal Regulation 23 CFR Part 450.332 allows for the movement of projects within the TIP/FSTIP subject to procedures agreed to by the partnering parties. This procedure is outlined below.

All movements must be consistent with the Regional Transportation Plan (RTP), must not adversely affect the expeditious implementation of Transportation Control Measures (TCMs), must comply with the provisions of Title VI, must not negatively impact the deliverability of other projects in the regional programs, and must not affect the conformity finding of the TIP.

For regional Surface Transportation Program (STP), Congestion Mitigation and Air Quality Improvement (CMAQ) funds, and other funds administered by the Federal Highways Administration (FHWA), MTC has developed a project funding delivery policy through extensive consultations with its regional transportation partners including the Bay Area transit operators, Congestion Management Agencies (CMA's), counties, FHWA, FTA and Caltrans. The *Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised April 26, 2006)* details how project-funding deadlines and fund management requirements are enforced and how projects may be moved within the time period of the adopted TIP. The policy satisfies the requirement of the expedited project selection procedures as stated in CFR 450.332(c). The project funding delivery policy is also embedded in the TIP amendment procedures, adopted along with the 2007 TIP. Although a TIP amendment is not required at the time a project is moved, an amendment may be processed following each federal fiscal year to reconcile the TIP for financial constraint purposes.

For projects within the State Transportation Improvement Program (STIP), MTC will move projects subject to amendment or allocation approval by the California Transportation Commission (CTC). Caltrans may move projects in the State Highway Operation Protection Program (SHOPP) document within the TIP/FSTIP period without amending the TIP, with notification to MTC.

Caltrans Division of Local Assistance has implemented a project selection process for the Highway Bridge Program (HBP) and Hazard Elimination Safety (HES) program, Safe Routes to School (SR2S) Program and other State-administered Local Assistance programs to produce the TIP listing of projects. This process was developed in cooperation with the implementing agencies, FHWA, the MPOs, and HBP Advisory Committee. Caltrans, MTC and the transit operators agree that the Caltrans Division of Local Assistance may move projects within the HBP, HES, SR2S and other State-administered Local Assistance programs within the TIP/FSTIP period without amending the TIP, with notification to MTC.

For FTA administered funds, projects may be moved within the period of the TIP/FSTIP at the request of the agency, as long as funding is available and the change does not negatively impact the delivery or availability of funds for other projects ready for obligation.

Implementing agencies wishing to advance projects using their own local funds until federal funds are available may request Advance Construction Authorization (ACA) from Caltrans, or pre-award authority from FTA to proceed with the project using local funds until OA and apportionment becomes available. In accordance with the Regional Project Funding Delivery Policy (MTC Resolution No. 3606) projects using ACA or FTA Grant Award Authority for FHWA-administered funds have priority for federal obligations when the availability of Obligation Authority is limited.

Public Involvement Process for TIP Amendments

Public Involvement Procedures consistent with 23 CFR 450.316(b)(1) shall be utilized in amending the TIP, however, these procedures are not required for TIP modifications involving those projects considered by the State and/or MPO to not be of appropriate scale for individual identification in a given program year and are grouped into a single listing in the TIP in accordance with the requirements of 23 CFR 450.324(i)

MTC's Interagency procedures require that all TIP amendments be discussed with the Partnership or its successors. Therefore, all TIP amendments are discussed as regular items at the Working Group meetings as well as the Partnership Technical Advisory Committee (PTAC). The Working Groups and PTAC are subordinate committees of the Bay Area Partnership.

Before the Commission can approve a Formal Amendment, the public is required to be notified and given an opportunity to comment on the amendment. As such, all major TIP amendments are publicly noticed for 30 days through the Regional Clearing House Newsletter published by the Association of Bay Area Government (ABAG) and are also noticed on the MTC website, and made available in the MTC-ABAG Library. MTC also sends e-mail announcements out to interested parties using its TIPINFO notification service. Proposed Formal Amendments are also publicly noticed as part of the Programming and Allocations Committee agenda and again as part of the regular Commission agenda. This process allows the public multiple opportunities to comment on pending Formal Amendments.

During the public comment period, the proposed Formal Amendments are posted at the TIP webpage located at: <http://www.mtc.ca.gov/publications/tip/tipind.htm>. Administrative Actions are also posted on this webpage.

To be included in the ABAG Newsletter mailing list please contact Suzan Ryder of ABAG at (510) 464-7993 or at SuzanR@abaq.gov and to be added to the TIPINFO mailing list send a request to: TIPINFO@mtc.ca.gov

TIP Amendment Request Submittal

To request a TIP amendment, a project sponsor must log onto MTC's Web Funds Management System (WebFMS) - MTC's web based programming application tool, and call up the project that needs to be amended, and make the necessary changes and submit the proposal to MTC for review. Likewise, to propose a new project, the project sponsor would create a new project using WebFMS "universal application" and submit the project proposal to MTC.

MTC programming staff will review the submitted application or amendment proposal for compliance with federal regulations, statute statute and regional policies, including funding completeness, impacts to air quality, financial constraint and for compliance with other federal, state and regional requirements before approving the submitted application or amendment.

If the proposal is found not to conform to the funding program guidelines or is inconsistent with the financial constraint of the TIP or if the proposal violates the region's air quality conformity analysis, or adversely impact the timely implementation of TCMs the proposal may not be processed. Projects that impact air quality may need to be further reviewed by the Air Quality Conformity Task Force, as outlined in the San Francisco Bay Area Transportation Air Quality Conformity Interagency Consultation Procedures (MTC Resolution No. 3075). Generally, changes that require a new Air Quality conformity analysis, as determined through the Interagency Consultation process, will need to wait until the next TIP update.

Proposed additions or changes to projects contained in the TIP must also conform to the amendment rules of the funding program involved (e.g. if the project is funded with STIP funds, it must also conform to the MTC's STIP amendment guidelines and the CTC's STIP guidelines before it can be processed).

Project Funding-Delivery Policy

The region has established funding deadlines for certain FHWA-administered funding, including Surface Transportation Program (STP) and Congestion Mitigation and Air Quality improvement (CMAQ) funds, to ensure timely project delivery against state and federal funding deadlines. The Region's Project Funding-Delivery Policy (MTC Resolution No. 3606) establishes a standard policy for enforcing project funding deadlines and project substitutions for these, and other FHWA-administered funds during Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) period. Projects selected to receive federal funds must have a demonstrated ability to use the funds within the established regional, state and federal funding deadlines. This criterion will be used for selecting projects for funding, and for placement of funding in a particular year of the TIP.

MTC staff actively monitor and report the obligation status of projects to the Bay Area Partnership. The Partnership working groups will monitor project delivery issues as they arise and make recommendations to the Partnership Technical Advisory Committee (PTAC) as necessary.

Specific provisions of the Regional project Funding-Delivery Policy are contained within MTC Resolution No. 3603, which is included as an appendix to the TIP.

Fund Management

Federal funds are to be programmed in the TIP, up to the apportionment level for that fiscal year for that fund source, within the fiscal year in which the funds are to be obligated by the Federal Highway Administration (FHWA) or transferred to the Federal Transit Administration (FTA), or awarded in a FTA grant. This ensures proper management of federal Obligation Authority (OA) against program apportionment levels within the region and ensures that OA is available for projects that are programmed in a particular fiscal year.

It is the responsibility of the implementing agency to ensure the funds can be used within the established regional, state and federal deadlines and that the provisions of MTC's regional project funding-delivery policy can be met (MTC Resolution No. 3606). It is also the responsibility of the implementing agency to continuously monitor the progress of the programmed funds against regional, state and federal deadlines, and to report any potential difficulties in meeting these deadlines, (or difficulties in meeting the provisions of the regional delivery policy) to MTC, Caltrans and the appropriate county CMA within a timely manner.

TIP amendment requests will be reviewed for any potential project delivery and financial constraint issues prior to approval.

Project Advancement

Obligations for funds advanced from future years of the TIP will be permitted only upon the availability of federal Obligation Authority, with current-year programmed projects that have met the delivery deadlines granted priority for OA in a given year. Advanced obligations will only be considered after April 1 of each fiscal year, with the OA for the advancements generally not being available until after June 30. An Administrative Change Amendment is required to advance federal funds in the TIP, subject to a review by MTC staff that the advance does not adversely impact the financial constraint determination of the TIP.

Implementing agencies wishing to advance projects using their own local funds until federal funds are available may request Advance Construction (AC) authorization from Caltrans (or pre-award authority from FTA) to proceed with the project using local funds until OA becomes available. The funds must be programmed in the TIP before authorization to proceed can be approved.

Project Cost Savings/Changes in Scope/Project Failures

Projects may be completed at a lower cost than anticipated, or have a minor change in scope resulting in a lower project cost, or may not proceed to implementation. In such circumstances, the implementing agency must inform MTC, Caltrans and the appropriate county Congestion Management Agency (CMA) within a timely manner that the funds resulting from these project reductions will not be used. Federal regulations require that the project proceed to construction within ten years of initial federal authorization of any phase of the project. Furthermore, if a project is canceled, or fails to proceed to construction in ten years, FHWA will de-obligate any remaining funds, and the agency is required to repay any reimbursed funds.

Project funding reductions accrued prior to the established obligation deadline are available for redirection within the program of origin. Savings within the CMA administered programs (such as Local Streets and Roads Rehabilitation) are available for redirection within the program by the respective CMA, subject to Commission approval. Project funding reductions within regional

competitive programs, such as the Transportation for Livable Communities (TLC) program, or for regional operations projects such as 511, are available for redirection by the Commission. For all programs, projects using the redirected funding reductions prior to the obligation deadline must still obligate the funds within the original deadline.

Minor adjustments in project scope may be made to accommodate final costs, in accordance with Caltrans procedures and federal regulation. However, STP/CMAQ funding for the project is limited to the amount approved by MTC. Once funds are de-obligated there is no guarantee the funds will be available for the project.

Project funding reductions or unused funds realized after the obligation deadline return to MTC. Any STP/CMAQ funds that have been obligated but remain unused will be deobligated and returned to the Commission for reprogramming.

Redirection of project savings may require an Administrative Action or Formal Amendment, depending on the extent of the savings and resulting changes in project scope.

Contact

For questions on the TIP Amendment process contact: Raymond Odunlami at (510) 464-7717 or at rodunlami@mtc.gov. A copy of this document is available on the Internet at: <http://www.mtc.ca.gov/funding/tip/>